Serial No. 39

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 710/2025

Shakeel Ahmad Mir .....Appellant(s)/Petitioner(s)

Through: Mr. Mohsin Bhat, Advocate.

vs

UT of J&K and others ..... Respondent(s)

Through: Mr. Dewakar Sharma, Dy. AG.

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
18.11.2026

1. The petitioner has filed this petition for commanding the respondents to release arrears of rent with effect from 02.02.1997 to 30.04.2014 regarding four shops situated at Thanamandi owned by the petitioner, taken over by the respondents on rent basis, along with interest at the rate of 18 percent per annum.

2. It is stated that the petitioner had submitted a representation and also served a legal notice upon the respondents for release of above mentioned rent, but no decision has been taken by the respondents on the said representation.

3. Respondents, in turn, have come up with response, stating therein that the petitioner had submitted a representation dated 21.11.2019 for release of rent in respect of three shops hired by the department with effect from 02.02.1997 to 30.04.2014 and as per official record, the said shops remained under the use and occupation of the department during the aforesaid period. It is also stated that the rent of the

aforesaid shops in question was duly assessed and approved by the Office of respondent No. 3 in his capacity as Chairman, District Rent Assessment Committee vide order dated 29.03.2008 and subsequently revised vide order dated 08.10.2015.

4. In para (7) of the response, the respondents have stated that they have made some payments to father of the petitioner through various cheques and as the petitioner had denied the aforesaid payment made by the respondents, the matter was referred to the Manager, J&K Bank, Branch Rajouri.

5. Heard learned counsel for the parties and perused the record. Also perused the record produced by Mr. Dewakar Sharma, learned Dy. AG, which is returned to him after perusal in the open court.

6. Though the petitioner has claimed rent for four shops but the respondents have stated that they have taken only three shops on rent. Record produced by Mr. Dewakar Sharma, learned Dy. AG reveals that Manager, J&K Bank, Business Unit, Rajouri Main, in terms of communication dated 22.09.2026 has intimated the Assistant Director FCS & CA, Department Rajouri that cheque No. 166447 dated 27.03.2014 has not been passed, cheque No. 236762 dated 31.03.2011 has been credited in the account of one Sameer Khan and transfer voucher (TV) dated 10.06.2011 is not traceable and as per own response of the respondents, number of the cheque has not been mentioned regarding TV dated 10.06.2011. Accordingly, it is established that no amount has been paid to the petitioner on account of rent by the respondents.

7. In view of the above, the present petition is disposed of by directing the respondents to release the rent assessed by respondent No. 3 in favour of the petitioner for the three shops along with interest at the rate of 9 percent per annum from the date of filing of this petition. The entire exercise shall be completed by the respondents within a period of three months from the date of receipt of certified copy of this order.

8. It is pertinent to mention here that this Court has deliberately not granted interest to the petitioner with effect from the date the rent became due to the petitioner because this writ petition was filed only in March 2025. Further, the petitioner shall be free to avail appropriate remedy for claiming the rent for fourth shop.

9. **Disposed of along with the connected application, if any.**

(RAJNESH OSWAL)
JUDGE

Jammu
18.11.2026
Sahil Padha

Sahil Padha
2026.11.19 14:59
I attest to the accuracy and
integrity of this document