

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Reserved on: 14.07.2022

Pronounced on : 18.10.2022

OWP No. 1302/2015
IA Nos. 2/2015 & 1/2018

Kala Ram and others

.....Petitioners

Through: Mr. A. K. Basotra, Advocate

Vs

State of J&K and others

..... Respondents

Through: Mr. Raman Sharma, AAG

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

JUDGEMENT

01. Heard learned Counsel for the parties.
02. Nothing can be more befitting starter to this judgment than an observation adored with realization of constitutional guardianship of the rights of an Indian citizen/subject qua his/her property as served by the Hon'ble Supreme Court of India in the case titled "State of Punjab Vs Gurdial Singh & Ors" reported in 1980 AIR SC 319. One liner statement bearing an awakening edict embedded in para 16 is by Justice Krishna Iyer and which is, "It is fundamental that compulsory taking of a man's property is a serious matter and smaller the man the more serious the matter."

03. The present case bears a paradox which is that the petitioners acted as law abiding citizens despite being the sufferer as against the respondents 3 to 5 who had opted to act as law avoiding public officials being found disturbing the sensitivity of afore-cited statement on a serious note as a small piece of property of an ordinary family of the petitioners was taken by seizure & usurpation by the J&K Police least serious for and without bearing any semblance of process of law. To add an insult to the injury, the J&K Police, acting post-facto, dictated an offer of rent at a rate of its own picking to be imposed upon the hapless owner family but without even a single penny of rental landing in the hands of the deprived owner family till date and this is what is the cry for justice in the present writ petition which has waited for seven long years of sufferance to earn final disposal from this Court. In fact, there should be no hesitation to confess on record that in a way this court has also contributed to the prolonging in providing the riddance to the aggrieved family. This Police Bossism against the owner family had come into play in February, 2013 lasting onwards with only relieving factor being that plot property got released in October, 2018 when the J&K Police itself felt no more urge to enjoy and extend the seizure and usurpation leaving the petitioners high and dry without even a word of thanks for their solace.

04. The petitioners are successors-in-interest of late Shardha Ram and all of whom have come to succeed to a piece of property existing in the form of a plot of land measuring 07 kanals 18 marlas falling under khasra no. 247 in

village Kartholi, ward no. 12 Bari Brahmana, Samba. There is no denial & dispute whatsoever as to this status of the petitioners qua said plot property.

05. J&K Police Establishment's Police Central Store in February 2013 came to lay its sight and hand on this plot property of the petitioners for the purpose of coal dumping even though the petitioners were unaware and unwilling to let the Police Establishment make use of their said plot property but felt helpless to take on the displeasure of the then police officials possessed of the mood to take over the said plot property of the petitioners, and, thus, the petitioners' silence and submission was read as their consent to let the use and occupation of their plot property by the Police Establishment for dumping of coal stock. It is pertinent to observe here that as the plot property is in the very close vicinity of the Railway Station Bari Brahmana, so the dumping of coal consignment and supply transported through Railway for the J&K Police at the vacant site of plot property of the petitioners was perhaps invitingly serving the convenience of the Police Establishment. The only saving satisfaction of the situation for the petitioners was that they were at least tempted with offer of monthly rental for the use and occupation of their plot property by the J&K Police least realizing even that was to prove a mirage for them.

06. For the purpose of rent assessment, the concerned section of the office of the Director General of Police, J&K, Srinagar, came to set the file work in motion by addressing a letter no.Prov-1/UE-60/2013/31435-39 dated

14-06-2014 to the Superintendent of Police, Samba requesting him to get the rent of the said plot property assessed through concerned Govt. Department and report back. File process was taken forward by the SDPO Bari Brahmana writing series of letters one of which being no. 1158/80B dated 03/07/2014 to the Naib Tehsildar Bari Brahmana and another no. 1251-52/80B dated 15/07/2014 to the Assistant Executive Engineer, PWD Bari Brahmana. The Engineering Department through concerned official came to register disability to make assessment of rent for the vacant plot property as the mechanism available with the Engineering Department was with respect to buildings and other structures.

07. The aforesaid motion of file process had led the exercise to be taken up with and by the revenue office of the Assistant Commissioner (Rev.) Samba. This revenue establishment side exercise led to the District Rent Assessment Committee, Samba headed by the Deputy Commissioner, Samba carrying out the rent assessment of the petitioners' plot of property of 7 Kanals 18 marlas at the rate of Rs. 42,500/- per month for the year 2013-14 and Rs. 51,300/- per month for the year 2014-15. This assessment exercise got documented on record vide Report no. DCS/SM/14-15/297-99 dated 30-03-2015. This assessment exercise was done at the instance of the J&K Police.

08. Upon the basis of rent so assessed and proposed by the District Rent Assessment Committee Samba, the respondent no. 4- SSP Samba had even

registered a requisition vide Communication no. GB/ Land-Kala Ram/2015/2757-59 dated 30-03-2015 for sanction of funds amounting to Rs. 5,52,500/- for the year 2013-14 and Rs. 6,15,600/- for the year 2014-15 thus totaling to amount of Rs. 11,68,100/- for two years period.

09. As the rate of rent so assessed and recommended was serving the taste of the then concerned higher officials of the J&K Police Headquarter (PHQ), so the same was rejected in terms of PHQ Order no. 558 of 2016 dated 19/02/2016. This was the last so called an act of official responsibility carried out at the end of the J&K Police Establishment and then onwards abandoning the exercise to decide as to how much rent was to be payable to the petitioners whose plot property was being used free unmindful of the fact that the use and occupation of plot property was literally nothing but sheer act of trespassing and perpetuation thereof.

10. The very text of the above said order itself exhibits the fact that even the legal sensitivity of the respondent no. 3, the Director General of Police, J&K with respect to patent wrong in action against the petitioners qua their own plot property, was almost missing with respect to the proposition in hand before him. The order is reproduced as under:-

“Whereas a piece of land measuring 07 kanals and 18 marlas under khasra No. 247 situated at Kartholi, Bari Brahmana belonging to one Kala Ram S/o Late Sardha Ram R/o Village Kartholi, Bari Brahmana is under the occupation of J&K Police w.e.f. February, 2013.

Whereas the landlord represented for payment of rent for the said piece of land situated at Kartholi, Bari Brahmana having remained under the occupation of J&K Police.

Where as a report was sought from SSP Samba which revealed that no rent has been paid to the landlord. However, District Rent Assessment Committee, Samba had assessed rent for the said piece of land @ Rs.42,500/- PM for the year 2013-14 and Rs. 51,300/- for the year 2014-15 and sought necessary sanction/allotment of funds for further disbursement to the landlord.

Whereas SSP Samba was informed that rent of the land is governed by the Standing government Orders/SROs issued from time to time and was asked to get rent of the land assessed afresh and process the rent case in pursuance of Government Order No. Home-225(P) of 2009 dated 23.03.2009.

Whereas DC Samba vide letter No. DCM/SM/2015-16/94 dated 23.05.2015 intimated that the rates for the land under the occupation of Security Forces/Police have already been decided by Home Department dealing with the procedure and no further action is required to be taken by the DRAC. However, DRAC Samba has verified the title and quantum of the land involved in the case.

Whereas SSP Samba vide order No. 396 of 2015 dated 14.07.2015 accorded sanction to the payment of rent in favour of the landlord for the land measuring 07 marlas and 18 marlas situated at Kartholi, Bari Brahmana in pursuance to the rates governed by Government Order No. Home-35(P) of 2009 dated 16.01.2009.

Whereas SSP Samba calculated the rentals for the period February, 2013 to May, 2015 to the tune of Rs. 2,48,850/- and requested for release of funds vide his letter No. GB/Land-Kala Ram/2018/4612-15 dated 30.05.2015 for further disbursement to the landlord, which were accordingly allotted by PHQ vide order issued under endorsement No. PHQ/Acctt/Bdt/2015-16/4449-52 dated 03.07.2015.

Whereas SSP Samba released the due rentals in favour of the landlord through cheque bearing No. 547417 dated 31.07.2015 amounting to Rs. 2,23,965/- after deducting income

tax @ 10% through SDPO Bari Brahmana vide letter No. Acctt/2015/7915 dated 04.08.2015 but the landlord refused to receive the said cheque.

Whereas the landlord approached the Hon'ble High Court of Jammu and Kashmir at Jammu and filed a writ petition No. 1302/2015 demanding rentals for the land measuring 07 kanals and 18 marlas under khasra No. 247 situated at Kartholi, Bari Brahmana having remained under the occupation of J&K Police on the basis of assessment made by the DRAC Samba.

Whereas the Hon'ble Court issued an interim order dated 11.09.2015 with the following directions:-

“In the meantime, subject to objections from other side and till next date before the Bench, respondents shall consider the case of the petitioner in terms of Annexure ‘H’ (rent assessed by DRAC Samba) to the petition within the notice period and file compliance report.”

Whereas the case was again examined at PHQ which after through deliberations came to the conclusion that the rent of the land under the occupation of Security Forces/Police is governed by Standing Government Orders/ SROs issued from time to time and not on the basis of assessment made by DRAC. The claim of the petitioner for payment of rentals for the said piece of land as per assessment made by DRAC Samba being devoid of any merit and needs to be rejected.

Therefore, the rentals for the land measuring 07 kanals and 18 marlas under khasra No. 247 situated at Kartholi, Bari Brahmana having remained under the occupation of J&K Police w.e.f. February, 2013 was sanctioned by SSP Samba in pursuance to Government Order No. Home-35(P) of 2009 dated 16.01.2009, as applicable to the case. Hence, the claim of the petitioner demanding rentals as per the assessment made by DRAC Samba is bereft of any logic or reasoning and is accordingly rejected.”

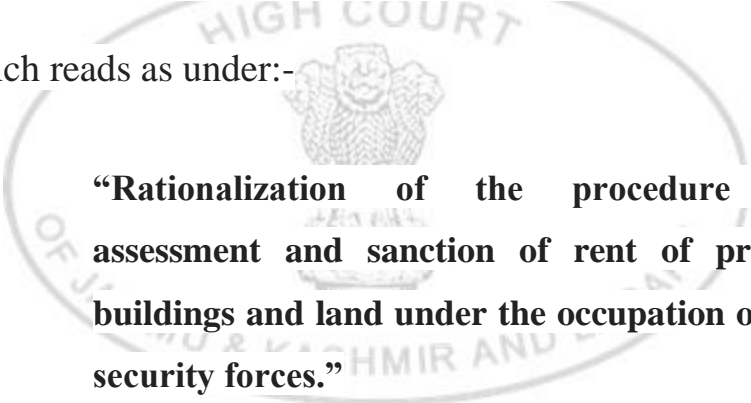
11. Finding themselves both helpless and clueless at the hands of the Police Establishment, the petitioners came to file the present writ petition on

14/09/2018 after suffering four years of continuing deprivation of their plot property at the hands of the J&K Police without earning a single penny of rental return. In the writ petition the petitioners have asked for the following writ reliefs:

- A) **Writ, order or direction in the form of writ of mandamus commanding upon the respondents to pay the rent to the petitioners assessed by the District Rent Assessment Committee, Samba, of the land measuring 07 Kanals 18 Marlas falling under Khasra No. 247 situated at Village Kartholi, Ward No. 12, Bari - Brahmana, Tehsil Bari - Brahmana, District Samba, owned by the petitioners herein presently under occupation of police department for dumping of coal since 1st of February, 2013.**
- A-1. **Writ, order or direction in the form of writ of certiorari to quash the PHQ Order No. 558 OF 2016 dated 19-02-2016 i.e. Annexure-J.**
- B) **Further, writ, order or direction in the form of writ of Mandamus Commanding upon the official respondents to pay the rent to the petitioners of the land measuring 07 KanaIs 18 Marlas falling under Khasra No. 247, situated at Village Kartholi, Ward No. 12, Bari - Brahmana, Tehsil Bari - Brahmana, District Samba, owned by the petitioners herein presently under occupation of police department for dumping of coal, on regular basis after getting it assessed by the competent authority viz. District Rent Assessment Committee, Samba for each year till the land is vacated and its possession is officially handed over to the petitioners herein.**
- C) **Such other additional or alternative relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the case may also be granted in favour of the petitioner herein and against the respondents. I.**

12. The respondent no. 4 & 5, who being the Sr. Superintendent of Police, (SSP) Samba and Sub-Divisional Police Officer SDPO Samba, came forward with their reply, supplemented with vehement submissions by the learned Additional Advocate General Mr. Raman Sharma, riding on the recitals and decision of the PHQ Order no. 558 of 2016. The basis used, rather usurped, by the Authority issuing said PHQ Order no. 558 of 2016 is a Govt. Order no. Home-225(P) of 2009 dated 23/03/2009 read with Govt. Order no. Home-35 (P) of 2008 dated 16/01/2009 dealing with rent assessment subject.

13. Govt. Order no. Home-225(P) of 2009 dated 23.03.2009 has a headline which reads as under:-



“Rationalization of the procedure for assessment and sanction of rent of private buildings and land under the occupation of the security forces.”

14. The very opening lines of said Govt. order self-states the purpose for which it was brought into effect. The opening of the Govt. order is “Sanction is hereby accorded to the adoption of following procedure for the assessment and payment of rent for private buildings and land under the occupation of security forces and the Police Department engaged in counter insurgency duties.” It is in the backdrop of this statement of the Govt. order no. Home-225(P) of 2009 dated 23.03.2009 that a mechanism was sought to be put in place for the purpose of assessment of rate of rent to be payable for buildings

and the land to come or coming under the occupation of the Security Forces and the Police Department deployed for the stated purpose. Had the Government of the State of Jammu & Kashmir, acting through the Financial Commissioner, Home Department in issuing the Govt. order no. Home-225(P) of 2009 dated 23.03.2009, intended the Govt. order no. Home-225(P) of 2009 to apply simpliciter with respect to every kind of occupation of the security forces and the J&K Police Department qua the private buildings and the private land, then the expression “engaged in counter insurgency duties” would not have been given space in the said Govt. order but since the presence of very said expression is the key meant to understand the intent & import of said Govt. order. It is easily understandable that a contingency based occupation of private land and buildings by the security forces and the Police Department in the State of J&K was meant not to earn burden of routine rate of rent of buildings and land which otherwise was meant to be payable for routine occupation of private land and buildings by the security forces and the Police Department.

15. Govt. order no. Home-225(P) of 2009 dated 23.03.2009 bears relation to Govt. Order no. 35(P) of 2009 dated 16.01.2009, a perusal whereof reveals that for the purpose of issuing the said Govt. order no. 35(P) of 2009 dated 16.01.2009, the then State Government had appointed a committee vide Govt. order no. 864(P) of 2008 dated 15.12.2008 which had recommended to the Government a rationalization of rent rate structure of land appurtenant to buildings/hotels and the portion of hotels not

occupied/under-utilization partly or wholly by the Security Forces or on the counter insurgency duty and to streamline the procedure of payment of rent and remove anomalies in the rate structures. In terms of Govt. Order no. Home-35(P) of 2009 dated 16.01.2009, the rates of rent for the land under occupation of the Jammu & Kashmir Police, Security Forces/ Army on internal security/counter insurgency duties came to be fixed in accordance with SRO 104 dated 11.04.2008 issued under the J&K Requisitioning and Acquisition of Immoveable Property Act, 1968. Thus, as per said Govt. order only those cases pertaining to the occupation of land and buildings by the Security Forces and the Jammu & Kashmir Police were/are supposed to be dealt with for the purposes of rent fixation in which the occupation of the private property by the Security Forces/ Jammu & Kashmir Police was/is relatable to deployment for internal security/counter insurgency.

16. Obviously, the rent fixation in terms of the aforesaid said Government orders is at a rate which is at a lower rate than the routine rate assessment and which routine rent assessment in this case was carried out by the District Rent Assessment committee headed by the Deputy Commissioner, Samba. The respondent no. 3-the Director General of Police, J&K, as being the top head of the Police Establishment, acting with an uncharitable mind set, was prejudiced to impose a lower rate of rent for the use and occupation of the land of the petitioners at the rates as forthcoming from the mechanism of Govt. order no. Home-225(P) of 2009 dated 23.03.2009 read with Govt. Order no. Home-35(P) of 2009 dated 16.01.2009

so the respondent no. 3 was least interested to re-examine the position that the rent as assessed by the District Rent Assessment Committee, Samba was the actual one to be payable and not the one as workable in terms of aforementioned two Govt. orders.

17. If the insistence of the learned AAG is to be accepted for applying Govt. order no. 225(P) of 2009, then even a routine Police Chowki if housed in a rented accommodation is to be held deployed in counter insurgency duties and not for routine police duty and accordingly rent assessment for use and occupation of rented accommodation has to be as per Govt. order no. 225.

18. Govt. order no. 225's text and context is self speaking and self-clearing. Rent assessment is on lower side because purpose is security forces deployment related which is keeping in view any emergent call for deployment of security forces in any part of the then State of J& K at any given point of time requiring urgent occupation of private properties as well for deployment specific purpose meant for safety and security of person and property of the residents of J&K and so in order to save public exchequer getting taxed for routine rental payments the rate assessment has to be on lower side. Security Forces has wide reference to all forces including J&K Police when deployed for security related exigency but not routine duty.

19. This Court is left to bear the puzzle and pain of fact as to under which police official of the time the forced entry upon said plot property of

the petitioners was carried out and which event did not bother any higher police official concerned either to settle the rent rate first before continuing any further with the usurpation of the plot property in reference or hand over back to the petitioners at the earliest occasion available with a note of apology to the petitioners on the acts of omission and commission of the erring police officials concerned in literally having acted as medieval time zamindar to overpower a private property. J&K Police had lot to explain its conduct, rather misconduct in real terms, and still it has not dawned upon it to reconcile and make amends with the gravity of wrong set into effect at its end. The gravity of the situation is to be seen from the fact that at the relevant point of time when the petitioners' plot property was so grabbed by the J&K Police, the right to property in the then State of J&K was still a fundamental right by reference to the Constitution Of India and not relegated to be a constitutional right as was in the rest of India by virtue of Constitution 44th Amendment Act, 1978.

20. Now, before coming to decide by denouncement the insistence on the part of the respondent no. 3 to import and impose the rent payable to the petitioners at the rate in terms of Govt. Order no. 225 (P) of 2009, this court would be failing cause of justice by parting with the judgment by letting the opportunity to go by without sensitizing the Public Administration/ Authorities, be it of the highest echelon or the lowest rung , that a citizen bears his/her person and the property as his/her sovereignty and from this he/she pools his/her respective share to constitute the Sovereignty of the State

and when the sovereignty of a citizen is injured/wronged then the Sovereignty of the State also suffers corresponding and instant injury/wrong notwithstanding who is the guilty hand doing the injury/wrong. It is on this solemn recognition that the Rule of Law is mandated and meant to be the sole working principle of and for the State and its agencies/functionaries. Public Administration/Authorities, including the Police Establishment, need to free themselves from a deep seated belief system that they have power of action with respect to person and property of a citizen/non citizen of India by reference to the law of authority, whereas the constitutional fact and reality is that their duty of action viz a viz the person and property of a citizen/non citizen is to be on an authority of the law. A law given authority to a Public Functionary/Authority for dealing with affairs of person and property of a citizen of India cannot be usurped to be a personal authority of the Public Functionary/Authority to be used and flaunted on personal propensities and if this simple legal mantra is kept in daily recitation and remembrance by the Public Functionaries and Authorities to attend and actuate their respective acts and decisions then the governance of India will be, sooner than later, by the rule of law free from the vice of the law of the ruler which the present case history exhibited as if for the J&K Police the regime was that of a police state.

21. Following para for the judgment of the Hon'ble Supreme Court of India in the case of **Tukaram Kana Joshi & Ors Vs M.I.D.C., 2013 AIR**

SC 565 will suffice to summarise the factual and legal wrap of the case in hand:

“9.There is a distinction, a true and concrete distinction, between the principle of "eminent domain" and "police power" of the State. Under certain circumstances, the police power of the State may be used temporarily, to take possession of property but the present case clearly shows that neither of the said powers have been exercised. A question then arises with respect to the authority or power under which the State entered upon the land. It is evident that the act of the State amounts to encroachment, in exercise of "absolute power" which in common parlance is also called abuse of power or use of muscle power. To further clarify this position, it must be noted that the authorities have treated the land owner as a 'subject' of medieval India, but not as a 'citizen' under our constitution.”

22. Perhaps this a case where the petitioners instead of asking for rent for the use and occupation of their plot property ought to have asked for damages from the respondent no. 3 to 5's end given the fact that the petitioners had suffered loss of their plot property at the hands of the respondents without any course of law. Such like fact situation has been attended by the Hon'ble Supreme Court of India in the case of **Vidya Devi Vs State of Himachal Pradesh, 2020 AIR SC 4709** in terms of the following passages as reproduced herein :

“10.1. The Appellant was forcibly expropriated of her property in 1967, when the right to property was a fundamental right guaranteed by Article 31 in Part III of the Constitution.

Article 31 guaranteed the right to private property, which could not be deprived without due process of law and upon just and fair compensation.

10.2. The right to property ceased to be a fundamental right by the Constitution (Forty Fourth Amendment) Act, 1978, however, it continued to be a human right in a welfare State, and a Constitutional

right under Article 300 A of the Constitution. Article 300 A provides that no person shall be deprived of his property save by authority of law. The State cannot dispossess a citizen of his property except in accordance with the procedure established by law. The obligation to pay compensation, though not expressly included in Article 300 A, can be inferred in that Article.

To forcibly dispossess a person of his private property, without following due process of law, would be violative of a human right, as also the constitutional right under Article 300 A of the Constitution. Reliance is placed on the judgment in *Hindustan Petroleum Corporation Ltd. v. Darius Shapur Chenai*, wherein this Court held that:

“ 6. ... Having regard to the provisions contained in Article 300A of the Constitution, the State in exercise of its power of "eminent domain" may interfere with the right of property of a person by acquiring the same but the same must be for a public purpose and reasonable compensation therefor must be paid.”

(emphasis supplied)

In *N. Padmamma v. S. Ramakrishna Reddy*, this Court held that:

“21. If the right of property is a human right as also a constitutional right, the same cannot be taken away except in accordance with law. Article 300A of the Constitution protects such right. The provisions of the Act seeking to divest such right, keeping in view of the provisions of Article 300A of the Constitution of India, must be strictly construed.”

(emphasis supplied)

In *Delhi Airtech Services Pvt. Ltd. & Ors. v. State of U.P. & Ors.*, this Court recognized the right to property as a basic human right in the following words:

“30. It is accepted in every jurisprudence and by different political thinkers that some amount of property right is an indispensable safeguard against tyranny and economic oppression of the Government. Jefferson was of the view that liberty cannot long subsist without the support of property. "Property must be secured, else liberty cannot subsist" was the opinion of John Adams. Indeed the view that property itself is the seed bed which must be conserved if other constitutional values are to flourish is the consensus among political thinkers and jurists.”

(emphasis supplied)

In *Jilubhai Nanbhai Khachar v. State of Gujarat*, this Court held as follows :

“48. ...In other words, Article 300A only limits the powers of the State that no person shall be deprived of his property save by authority of law. There has to be no deprivation without any sanction of law. Deprivation by any other mode is not acquisition or taking possession under Article 300A. In other words, if there is no law, there is no deprivation.”

10.5. In a democratic polity governed by the rule of law, the State could not have deprived a citizen of their property without the sanction of law. Reliance is placed on the judgment of this Court in *Tukaram Kana Joshi & Ors. v. M.I.D.C. & Ors.* wherein it was held that the State

must comply with the procedure for acquisition, requisition, or any other permissible statutory mode. The State being a welfare State governed by the rule of law cannot arrogate to itself a status beyond what is provided by the Constitution.

This Court in State of Haryana v. Mukesh Kumar (AIR 2012 SC 559) held that the right to property is now considered to be not only a constitutional or statutory right, but also a human right. Human rights have been considered in the realm of individual rights such as right to shelter, livelihood, health, employment, etc. Human rights have gained a multifaceted dimension.”

23. Coming back to the final closure of this case, this court in the light of facts and circumstances as referred hereto before, hold that the it is the rent assessment as made by the District Rent Assessment Committee Samba in terms of its report no. DCS/SM/14-15/297-99 dated 30/03/2015 for the given two years period of occupation that is 2013-14 and 2014-15, which is to be applicable and payable from the respondents 3's end to the petitioner and is to be so paid. Further, this Court for the un-assessed period of 2015-16, 2016-17 and 2017-18 directs the respondent no. 2- the District Rent Assessment Committee Samba headed by the Deputy Commissioner, Samba to assess the corresponding rent rate for the aforesaid three years and convey the final rent assessment report to the respondent no. 3 within a period of three months from the date of receipt of the present judgment by the Deputy Commissioner Samba. Upon receipt of the rent assessment report from the respondent no. 2 , the respondent no. 3- Director General Of Police, J&K to make full and final payment of the entire rent for the period 2013-14 to 2017-18 as per assessment made by the respondent no. 2 . The aggregate amount so payable to the petitioners is to bear interest @ 9% p.a. with effect from October 2018 onward till actual payment of the entire amount. Consequently, this Court

quashes the respondent no. 3's Order no. 558 of 2016 dated 19/02/2016 as being arbitrary and baseless.

24. The compliance to the directions of this court hereby given shall be carried out by the respondent no. 3 within period of two months from the date of receipt of the rent assessment report from the respondent no. 2. Disposal of this writ petition cannot be without burdening the respondent no. 3 with exemplary costs for the litigation burden suffered by the petitioners for the situation not of their making and as such an amount of rupees one lac (Rs 1 lac) is awarded as costs payable in favour of the petitioners and to be paid by the respondent no. 3's end.

25. Writ Petition is thus *disposed of*.

(Rahul Bharti)
Judge

Jammu
18.10.2022.
Muneesh

Whether the order is speaking : Yes

Whether the order is reportable : Yes