

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.5174 of 2015

ORDER :

This civil revision petition is filed by the tenant, who is the respondent in R.C.No.118 of 2015, aggrieved by order, dated 15.10.2015, passed by the III-Additional Rent Controller, Hyderabad, in I.A.No.191 of 2015 in the said R.C.

As the petitioner/tenant was not paying rents, respondent has filed interlocutory application in I.A.No.191 of 2015, to direct the tenant to pay the rent regularly and also the arrears of rent. Such application is allowed by impugned order, directing the petitioner herein to pay the arrears of rent which are due from July 2014 to September 2015 at the rate of Rs.2,200/- per month, within three months from the date of said order, with a further direction to pay rents for the subsequent months at the rate of Rs.2,200/- per month from October 2015 onwards on or before 7th of succeeding month.

Heard both sides.

Mainly, it is the case of the petitioner that the respondent is not allowing him to enjoy the premises by creating obstructions, as such, there is no obligation to pay the rents. Precisely, it is stated that as he is not enjoying the premises, he need not pay the rents. But, curiously, in the counter affidavit filed by the petitioner herein in I.A.No.191 of 2015, it is stated that he has invested Rs.4 lakhs for repairs and renovation of the mulgi with the permission of landlord i.e. respondent herein and that he was in possession of the mulgi. Such stand of the petitioner herein, in the counter affidavit filed before the trial Court, runs contrary to the argument now advanced.

As it is not in dispute that the petitioner is tenant and as there is no proof for payment of arrears of rent, this Court is of the view that

the Court below has rightly issued directions to pay the arrears of rent as well as future rents, and there is no ground to interfere with such findings.

This civil revision petition is accordingly dismissed. No order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

27th November 2015

ajr