

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-1413-2015(O&M)
Decided on: May 25, 2015.

Bhupinder Singh Petitioner

Versus

Amar Singh Dhillon Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: None for the parties.

M.M.S. BEDI, J (ORAL)

This is a revision petition against the order dated 22.01.2015, passed by the Rent Controller to pay the provisional rent @ ₹14,500/- per month and the arrears of rent payable with interest and costs. The order dated 22.01.2015 passed by the Rent Controller is apparently an order falling under Section 15(1)(b) of the East Punjab Urban Rent Restriction Act, 1949 and is an appealable order as per Apex Court judgment in **Harjit Singh Uppal v. Anup Bansal 2011(3) RCR (Civil) 247.**

It will not be out of place to observe here that in **Tirlok Singh Anand vs. M/s Prem Chand and Sons and others 2013(1) RCR (Civil) 488,** the observations of the Apex Court in **Harjit Singh Uppal's case (supra)** had been considered to be obiter dictum.

Order passed by the Apex Court in **Harjit Singh Uppal's case (supra)** being binding as a precedent under Article 141 of the Constitution of India, finding myself bound with the said judgment, it is held that the impugned order is not revisable order but is an appealable order. The judgment in **Harjit Singh Uppal's case (supra)** has also been followed by this Court in a recent judgment in **Ajay Partap Singh v. Gurdial Singh and others**, CR No.3290 of 2014, decided on 13.05.2015.

The instant revision petition is disposed of relegating the petitioner to avail the alternate remedy of filing an appeal.

It is ordered that if an appeal is filed within 15 days, the said appeal will be entertained along with an application under Section 14 of the Limitation Act.

(M.M.S. BEDI)
JUDGE

May 25, 2015
mamta