

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT  
CHANDIGARH

C.R. No.2956 of 2015

Date of Decision.07.07.2015

Basanti and others

.....Petitioners

Versus

Dharamshala Shri Moti Lal and others

.....Respondents

Present: Mr. J.P. Sharma, Advocate  
for the petitioners.

**CORAM:HON'BLE MR. JUSTICE K. KANNAN**

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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**K. KANNAN J. (ORAL)**

1. There is simply no justification for intervention in a case where the tenant has brought pretty little to assess what the basic rent was. The point is that the landlord has not offered any evidence. No petition for fair rent could ever be dismissed. It is Court's duty to determine the rent what is fair on the basis of what is contained there under the provisions of the Act. The Act contemplates that in respect of buildings which were completed before 31.12.1961, the basic rent shall be taken as rent which was the prevailing rent at that particular time and even an escalation has to be worked out in the manner it is contemplated under sub-section 4(iii). The Court proceeded to make that assessment on the basis of fair rent being claimed by the tenant as ₹ 10/- to ₹ 15/- per month. It is utter travesty of justice that the tenant seeks to challenge ₹ 65/- per month determined as fair rent through this revision petition.

2. The revision petition is dismissed as vexatious with costs assessed at ₹ 5,000/- to be paid to the Legal Services Authority. The copy of the order be sent to the Member Secretary to claim the costs on issuance of notice to the party.

**(K. KANNAN)**  
**JUDGE**

**July 07, 2015**  
**Pankaj\***