

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

Civil Revision No.3086 of 2014

Date of decision: 27.07.2015

Sunil Kumar

... Petitioner

versus

L.D. Bhatia

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Deepak Saini, Advocate,
for the petitioner.

K.Kannan, J. (Oral)

1. The revision petition is by the tenant challenging the orders of eviction passed by the Rent Controller as affirmed by the appellate Court. The court found the rent to be ₹ 4,000/- per month and the Rent Controller allowed for payment of the rent as determined by him within the stipulated period if the tenant should take advantage of the extended period for vacating the premises. The tenant claimed that he has paid the amount as determined and in appellate court filed an application for reception of additional evidence, namely, the Income Tax returns submitted before the ITO to show that the landlord was returning the income of ₹60,000/- for 5 shops from 5 tenants between 2008-09 and ₹96,000/- for 2009-10 and for 2011-12, the income was said to have been shown as ₹1,10,400/-. The court rejected this document as irrelevant, for, the

quantum of rent was mutually agreed to ₹4,000/- as per the document which had been exhibited as evidence on which the Rent Controller was making his reliance.

2. Taking the worst against the landlord, the return of income which showed the rent could not be ₹4,000/- as contended by the tenant as per the income tax returns would only show that the landlord was not paying tax properly. This is not the forum for punishing a landlord for evasion of tax. The tenant may have other options open to him to give the landlord sufficient trouble through other authorities but between him and the landlord in a contest before the Rent Controller, the manner of how the landlord showed the income tax returns can obtain no relevance.

3. There is no other point urged before me. There is no scope for intervention with the order already passed. The orders of eviction are confirmed and the revision petition is dismissed.

(K.KANNAN)
JUDGE

27.07.2015
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