

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

**CR No.3601 of 2015 (O&M)
Date of decision : May 29, 2015**

M/s Sunrise Engineering Industries

..... Petitioner

Versus

M/s Panchkula Wood Pvt. Ltd.

..... Respondent

CORAM : HON'BLE MR.JUSTICE GURMIT RAM

1. To be referred to the Reporters or not? No / Yes
2. Whether the judgment should be reported in the Digest? No / Yes

Present : Mr. Saurabh Bhardwaj, Advocate,
for the petitioner.

GURMIT RAM, J.

1. This revision petition is preferred by the petitioner-tenant against the order dated 18.03.2015 passed by the Rent Controller, Panchkula vide which permission was granted to the petitioner-tenant to carry out urgent repair work in the demised premises, cost of which was ordered to be paid by the petitioner-tenant himself.

2. It is submitted by the learned counsel for the petitioner that as per the provisions of Section 12 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 (in short "Rent Act"), the cost of repair, if any, done in the demised premises is to be borne by the landlord. It is also his contention that rent agreement dated 01.08.2007 allegedly executed between the parties

qua demised premises is also silent on this issue.

3. So as such, this revision petition stands disposed of with a direction to the concerned Rent Controller to decide the matter as to which of the parties is to bear the cost of the aforesaid repair work qua demised premises while disposing of the main case on merits in the light of the provisions of Section 12 of the abovesaid Rent Act as well as the other evidence as may be available on the file on the said relevant time.

4. A copy of the order be sent to the Rent Controller concerned for necessary compliance.

Registry to do the needful.

May 29, 2015

Gaurav Sorot

**(GURMIT RAM)
JUDGE**