

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

**CR No.4052 of 2015
Date of Decision : 2.7.2015**

Kuljit Singh

.....Petitioner

Versus

Ranjit Singh Cheema

.....Respondent

CORAM:- HON'BLE MR. JUSTICE GURMIT RAM

Present: Mr. Bhrigu Dutt Sharma, Advocate
for the petitioner.

GURMIT RAM, J.

Learned counsel for the petitioner has contended that in the case in hand, it is the case of the landlord that at present the rate of rent is Rs.6,243/- per month whereas on the other hand the tenant is alleging the same to be Rs.3,800/- per month. It is further his contention that the tenant has given the excess rent qua the demised shop. Despite the pleadings of both the parties with regard to rate of rent, no issue has been framed by the learned Rent Controller, Jalandhar with regard to rate of rent. It is also his contention that in case the finding with regard to rate of rent is not recorded then in that eventuality the tenant will be debarred from claiming the amount of rent which he has allegedly paid in excess, if ultimately the rate of rent is held to be Rs.3,800/- per month and further he will also have to pay the rent at the rate as claimed by the landlord.

So in this situation, the learned Rent Controller,

Jalandhar is directed to frame additional issue with regard to rate of rent for the proper adjudication of the matter in controversy and to dispose of the petition within three months from the date of receipt of certified copy of this order by granting one-one opportunity to each of the parties to lead their respective evidence with regard to this issue, if not led earlier.

With these observations, the above-said revision stands disposed of accordingly.

2.7.2015
Brij

(GURMIT RAM)
JUDGE