

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

107

**Civil Revision No.5513 of 2015 (O & M)
Date of Decision:02.12.2015**

Gurdeep Singh @ Raju and anotherpetitioners

Versus

Vandana Guptarespondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

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

Present: Mr.J.S.Dadwal, Advocate
for the petitioners

Mr.S.K.Sandhir, Advocate
for the caveator/respondent

ARUN PALLI, J.(ORAL):-

Concededly, Rent Controller, Ludhiana, had assessed the provisional rent, vide order dated 07.08.2014 and the matter was adjourned to 26.09.2014 to enable the petitioners-tenants to tender the assessed rent. For the petitioners failed to comply with the order dated 26.09.2014, an order of ejectment was passed by the Rent Controller. As even an appeal preferred against the said order failed and was dismissed on 17.07.2015, tenants are before this Court.

Concededly, vide order dated 07.08.2014, provisional rent was assessed @ ₹ 9200/- per month and the tenants-petitioners were directed to tender a sum of @ ₹ 2,45,450/- by 26.09.2014, inclusive of interest and cost, since on date fixed, tenants-petitioners

failed to tender the provisional rent, the only and the inevitable conclusion, the Rent Controller could arrive at, was to order the eviction of the tenants-petitioners. Deposit of rent during the pendency of the appeal, as observed by the Appellate Authority was hardly of any consequence in law, and in reference to a decision of this Court in “***Rajesh Thakur and others vs. Jangi Lal***”, ***Civil Revision No.1663 of 2009, decided on 06.12.2010***, learned Appellate Authority, dismissed the appeal. Learned counsel for the petitioners could not point out as to how the conclusions recorded by both the Courts was either contrary to the position on record or suffered from any material illegality.

That being so, no interference in exercise of revisional jurisdiction under Section 15(5) of the East Punjab Urban Rent Restriction Act, 1949, is warranted. The petition being devoid of merit is accordingly dismissed.

02.12.2015
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(ARUN PALLI)
JUDGE