

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

(213)

CR No.6833 of 2013 (O&M)

Decided on: July 28, 2015.

Gurinder Singh Matta

.... Petitioner

Versus

Raj Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Raman Mohinder Sharma, Advocate,
for the petitioner.

M.M.S. BEDI, J (ORAL)

Vide order dated 11.04.2012 of Rent Controller ejectment petition against the tenant-petitioner was stayed during pendency of the inter pleader suit filed by the petitioner-tenant. The Appellate Authority vide order dated 16.03.2013 has directed the petitioner-tenant to deposit the entire arrears of rent payable to those persons who would be declared as legal heirs of Walaiti Ram by the Court of competent jurisdiction. The tenant has approached this Court against the said order claiming that the petitioner should be permitted to deposit the rent before the Civil Court where the suit for inter pleader is pending and not before the Rent Controller.

I have considered the contentions of learned counsel for the petitioner.

Perusal of the orders passed by the Rent Controller and the Appellate Authority indicate that the dispute is regarding non-payment of rent for a particular period against the petitioner. The order passed by the

Appellate Authority requiring the petitioner to deposit the arrears of rent permitting the proceedings before the Rent Controller to continue subject to the rights of the owners inter se as per inter pleader suit is neither an illegal order nor any fault is found in it.

No ground is made out to issue any direction in context to the forum where the petitioner should deposit the arrears of rent.

Dismissed.

This order will not in any manner mean to give an opportunity to the petitioner to evade the payment of rent/mesne profits.

(M.M.S. BEDI)
JUDGE

July 28, 2015
harsha