

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No. 8654 of 2014(O&M)
DECIDED ON : August 07, 2015

Surinder Singh

.....Petitioner

VERSUS

Simarjit Kaur

.....Respondent

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

PRESENT:- Mr. Divanshu Jain, Advocate for the petitioner.

Mr. Tapas Sharma, Advocate for the respondent.

M.M.S.BEDI, J.

This is a revision petition filed against the assessment of the provisional rent ordered by the Rent Controller.

In view of the decision of this Court in *CR No.3290 of 2014*, titled "**Ajay Pratap Singh Vs. Gurdial Singh and others**" decided on 13.05.2015, on the basis of the judgment of Apex Court in **Harjit Singh Uppal Vs. Anup Bansal**, 2011(3) RCR (Civil) 247 and the judgment of a co-ordinate Bench of this Court in the case of **Asha Gupta Vs. Wg. Cdr. Shashank Sharma and another**, 2011(2) R.C.R. (Rent) 582, as well as the judgment of ***M/s. Imperial Gardens Pvt. Ltd Vs. J.P. Singla and another***, 2012(1) R.C.R. (Rent) 405, the matter is no more *res integra* so far as the maintainability of the appeal against an order of assessment of provisional rent by the Rent Controller, is concerned.

In the above said judgments, it has been held that the order of determining provisional rent is an appealable order under Section 15(1) (b) of the East Punjab Urban Rent Restriction Act, 1949.

Counsel for the petitioner at this stage seeks permission to withdraw the present revision petition with liberty to file an appeal before the Appellate Authority.

The present revision petition is disposed of as withdrawn with liberty to avail alternative remedy, within a period of 15 days. In case the appeal is filed within a period of 15 days along with an application under Section 14 of the Limitation Act, the same may be entertained by the Appellate Authority.

07.08.2015
Anjal

(M.M. S.BEDI)
JUDGE