

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

CR No. 964 of 2015 (O&M)

Date of decision: 31.07.2015

Kamaljit Singh

... Petitioner

versus

Santosh

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sandeep Walia, Advocate for the applicant/respondent.

Mr. Tarun Sharma, Advocate for the petitioner.

K.Kannan, J.

CM No. 11808-CII of 2015

Allowed.

The revision petition is pre-poned and taken up today itself for final disposal.

CR No. 964 of 2014

The impugned order is fixation of provisional rent by the Rent Controller. The appeal is incompetent against an order in terms of the judgment of the Division Bench of this Court in Trilok Singh Anand Vs. M/s Prem Chand Sons and others, 2013 (1) RCR (Civil) 488. The revision petition is dismissed but with liberty to the tenant to prefer an appeal to the Appellate Authority and if there is a delay in filing the appeal, the petitioner may invoke Section 14 of the Limitation Act and seek for

exclusion of time during the period when he was contesting the case before this Court.

The civil revision petition is dismissed, but, with liberty aforesaid.

The tenant will not have a right of audience before the Appellate Court, unless he deposits or pays to the landlord the admitted rent of Rs. 6,000/- for 19 months which according to the landlord is still due. The consideration of payment of the additional rent which is fixed will abide by the outcome of the decision of the Appellate Authority against the order of the Rent Controller.

(K.KANNAN)
JUDGE

31.07.2015

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