

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

**Civil Revision No. 2258 of 2016
Date of decision : 30.03.2016**

Vinayak Singh

.....Petitioner

versus

Bhajan Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Amit Goyal , Advocate for the appellant.

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

AJAY TEWARI, J. (Oral)

This petition has been filed against concurrent orders of the Courts below ordering eviction of the petitioner on the ground that he did not pay the provisional rent assessed.

Learned counsel has argued that the provisional rent assessed was ex facie exaggerated and that is why the tenant did not pay the same. It may be noticed that against the order of fixation of provisional rent no appeal was filed and when the eviction was allowed and appeal was filed against the main ejectment order, no such argument was raised. In my opinion even if this argument is allowed to be raised cannot be accepted. By its very nature the provisional rent is an interim order subject to correction after entire evidence. Even if the tenant ultimately ends up paying something more it can always be set off against future rent and, therefore, no irreparable loss is caused to the tenant and that is why it has been repeatedly held by the Courts that failure to

deposit provisional rent would have the effect of conclusion of tenancy.

Petition is dismissed.

(AJAY TEWARI)
JUDGE

March 30, 2016
sunita