

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

**Civil Revision No.7804 of 2016 (O&M)
Date of Decision:November 21, 2016.**

Satya Rani

.....PETITIONER(s).

VERSUS

Dhani Ram since deceased through his LRs

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ramender Chauhan, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Heard.

2. This is revision petition against the order of Rent Controller dated 02.08.2016, which reads as follows:-

“On the last date of hearing arguments of learned counsel for the petitioner were heard qua eviction of the respondent on the ground of non-payment of assessed rent. Perusal of the written statement filed by the respondent reveals that the relationship of landlord and tenant between the parties has not been admitted. Therefore, the case is adjourned for evidence of the petitioner to prove his case on 31.8.2016.”

3. Learned counsel for the revision petitioner fairly admits that relationship of landlord and tenant between the parties has been denied by the respondent.

As per ration of law laid down in case of ***Rakesh Wadhawan***

and others Vs. Jagdamba Industrial Corporation and others (2002) 5 SCC 440, the Rent Controller has to assess the rent only when the relationship of landlord and tenant is not denied. Consequently, the Rent Controller, if has rectified the order of assessment of rent and has proceeded to decide the case on merits, committed no error of law, calling for any interference.

5. This petition has no merits.

Dismissed.

November 21, 2016.
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***