

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 8712 of 2016 (O&M)
Date of Decision : 23.12.2016

Kailash Chand Bansal

....Petitioner

Versus

Ritu Mittal and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Akshay Kumar Goel, Advocate
for the petitioner.

Surinder Gupta, J.

This is revision petition by Kailash Chand Bansal, tenant in double storey shop situated at Gali Dakotan, Bichla Bazar, Bhiwani against order of learned Rent Controller, Bhiwani whereby he allowed application of landlords-respondents to send receipts (Ex. R-1 to Ex. R-7) to the Security Printing Press, Nasik (Maharashtra) to verify the year of printing of stamps and vide order dated 13.12.2016, a local commissioner was appointed to go to Nasik alongwith sealed envelope containing the receipts (Ex. R-1 to Ex. R-7) and to obtain report from the Printing Press, Nasik.

2. Learned counsel for the revision-petitioner has argued that order passed by learned Rent Controller is not sustainable as the landlords-respondents have nowhere pleaded that receipts (Ex. R-1 to Ex. R-7) are forged or do not bear signatures of previous landlords. They also admitted the signatures of previous landlord over the rent receipts.

3. Perusal of order passed by learned Rent Controller shows that landlords-respondents moved an application submitting that receipts (Ex. R-1 to Ex. R-7) were bearing revenue stamps which were not printed prior to 2005. In order to prove their plea, learned Rent Controller allowed their application to get the report from the Printing Press, Nasik in this regard.

4. I have heard learned counsel for the revision-petitioner and perused the paper-book with his assistance.

5. Revision-petitioner is relying on the receipts (Ex. R-1 to Ex. R-7) alleged to have been issued by the previous landlord. Learned counsel for the revision-petitioner has argued that these receipts were produced on record to show that rate of rent as claimed by landlords-respondents is not correct as the earlier landlord had been receiving rent at the rate mentioned in the receipts.

6. Learned counsel for revision-petitioner has not been able to make out as to what prejudice will be caused to revision-petitioner if the report regarding year of printing of stamps affixed on receipts (Ex. R-1 to Ex. R-7) is made by the Printing Press, Nasik. He is relying on these receipts and the report about the revenue stamps affixed on receipts may corroborate his version that these receipts were issued by the previous landlord. I fail to understand as to what is the apprehension in the mind of revision-petitioner and why he is running away from getting the report of the printing press regarding the year of printing of revenue stamps affixed on receipts (Ex. R-1 to Ex. R-7). If he has no guilty conscience, he should have come forward boldly to support the contention of landlords-respondents to get the report of the Printing Press, Nasik so that truth in his plea that receipts (Ex. R-1 to Ex. R-7) were issued by the previous landlord may not fail.

8. The order passed by learned Rent Controller suffers from no legal infirmity calling for any interference in this revision petition.

9. This revision petition has no merit and the same is dismissed.

December 23, 2016
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No