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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No.319 of 2017**

(Arising out of order dated 12.7.2017 in Writ Petition (C) No.2355 of 2016 of the learned Single Judge)

Kewal Krishna Khanduja S/o Shri Mohar Chandra Khanduja Aged About 80 Years R/o Dr. J. N. Rai Street (Gali), Rajendra Nagar, Near Main Post Office, Bilaspur, District Bilaspur Chhattisgarh.

---- **Petitioner**

Versus

1. Sadhna Bajpai W/o Late Shri Ramakant Bajpai Aged About 71 Years R/o Bajpai Ground, Tilak Nagar, Bilaspur, District Bilaspur Chhattisgarh.
2. Rent Controller, District Bilaspur Chhattisgarh.

---- **Respondents**

For Appellant	: Shri Ravindra Agrawal, Advocate.
For Respondent No.1	: Shri Anant Bajpai, Advocate.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, Judge.

Order on Board

Per Thottathil B. Radhakrishnan, Chief Justice

05/09/2017

1. We have heard the respective learned counsel for the Appellant and Respondent No.1.
2. This writ appeal is instituted against the order of the learned Single Judge interfering, to an extent, with the order of the Rent Controller issued under the Chhattisgarh Rent Control Act, 2011. The quality of jurisdiction that has been exercised is relatable to the question whether the person who instituted a proceedings before the Rent Controller had the *locus standi* to sustain the cause of action for that application for eviction. Having assimilated the facts of the case and having read the impugned order, we are of the view that the learned Single Judge had exercised jurisdiction only under Article 227 of the Constitution of India.

So much so, no appeal lies to the Division Bench in view of the proviso to Section 2(1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006. This appeal is therefore not maintainable and the same is accordingly dismissed.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(Sharad Kumar Gupta)
JUDGE

Anu