

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

**Civil Revision No. 183 of 2016 (O&M)
Date of Decision: 29.08.2017**

Krishan Goel

..... Petitioner

Versus

Yoginder Jain and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. L.S. Chahal, Advocate
for the petitioner-tenant.

None for the respondents-landlords.

JASWANT SINGH, J. (ORAL)

Petitioner-tenant is in revision directed against the order dated 23.11.2015 (**Annexure P-3**) passed by the Appellate Authority, Rohtak, whereby the order dated 20.07.2015 passed by the Rent Controller, Rohtak, assessing the provisional rent for the portion of the demised premises @ Rs. 5,000/- per month payable w.e.f. 01.04.2012, has been set aside and the matter remanded back for afresh adjudication keeping in view certain observations made in the appellate order.

Learned counsel for the petitioner has only prayed for a direction to the Rent Controller, Rohtak, to pass afresh order keeping in view the documents on record without being influenced by the opinion in the appellate order.

None has appeared on behalf of respondents to contest the aforesaid factual contention.

After hearing learned counsel for the petitioner, this Court is persuaded to accept the plea of the petitioner-tenant. First of all, it is not understandable as to why no afresh order in compliance of the directions passed by the Appellate Authority has been passed till today, inspite of lapse of almost one year and nine months. The observations of the Appellate Authority *qua* arrears of rent are with effect from the date, prior to the landlords having purchased the property and thus become natural landlords. Therefore, without going into further details, the present revision petition is liable to be disposed of with a direction to the Rent Controller, Rohtak to pass afresh order of assessment of provisional rent by giving cogent reasons and without being unnecessarily influenced by the observations of the Appellate Authority.

Ordered accordingly.

The Rent Controller, Rohtak is also directed to pass afresh order within fifteen days from the date of receipt of certified copy of this order.

August 29, 2017

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No