

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.5128 of 2017

Date of Decision: 08.09.2017

Dev Harpreet Singh Bedi

... Petitioner

Versus

Ajay Handa and another

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Gagandeep Singh Sirphikhi, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

1. This is a petition challenging the order dated November 05, 2016 passed by the Appellate Authority, Gurdaspur under the rent law whereby the order of the Rent Controller dated September 21, 2016 assessing provisional rent at the rate of ₹800/- per month has been set aside. The reason assigned by the Appellate Authority is not open to correction when the Rent Controller had fallen in error in relying on the version of the landlord that the rate of rent has to be ₹800/- per month when there was no proof of payment by the tenant of the said amount. The photocopies of rent receipts were all the material the landlord could rely on for increase of rent. Photocopies have no evidentiary value unless they are produced by way of secondary evidence in the absence of primary evidence/original evidence on proof of loss or destruction etc. The order of provisional assessment of rent by the Rent Controller has been modified by the Appellate Authority at the rate of ₹120/- per month with interest, as well as costs and the tenant has

been directed to make payment accordingly by November 07, 2016.

2. There is no legal infirmity seen in the order and I would wholly support the reasoning in the order impugned and refuse to entertain the petition. The petition is dismissed.

08.09.2017
manju

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned Yes

Whether reportable No