

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

**CR No.5462 of 2017(O&M)**

**Date of Decision:-23.08.2017**

**Smt. Avtar Kaur.**

.....Petitioner.

Versus

**Tejinder Singh Baxi.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH**

Present:- Mr. Nandan Jindal, Advocate for the Petitioner.

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**JASWANT SINGH, J (ORAL)**

Petitioner (tenant) is in revision aggrieved against the order dated 22.11.2013 passed by Rent Controller, Mohali, who has ordered the eviction of petitioner on the ground of non payment of arrears of rent and the said findings has been affirmed by the learned Appellate Authority, Mohali vide its order dated 03.09.2016.

Learned Counsel for the petitioner has argued that the Authorities below have wrongly relied upon the Rent Agreement Ex.P-1 dated 01.07.1999 as the same cannot be looked into evidence being an unregistered document. In support of his argument, he has relied upon judgment passed by this Court in **1989 (1) RCR (Rent) 645 Ram Kumar Khanna Vs. Rajiv Garg.**

After hearing learned Counsel for the Petitioner and perusing the paper book, this Court is of the considered view that the present petition

is devoid of any merit and deserves to be dismissed.

Concededly, the Rent Agreement dated 01.07.1999 has been proved on record by the respondent (landlord) by examining the attesting witnesses of the said agreement. It is also not in dispute that the said agreement has been executed for 11 months. As per the provisions of Transfer of Property Act read with Registration Act, any Rent Agreement qua an urban property need not be compulsorily registered if the same is for a period of less than one year. These provisions have not been considered by the Co-ordinate Bench in Ram Kumar Khanna's case (supra). Meaning thereby, the Authorities below have rightly relied upon the Rent Agreement dated 01.07.1999 and therefore, no infirmity is found in the impugned orders

In view of the above, finding no merit in the present revision petition the same is hereby dismissed.

( JASWANT SINGH )  
JUDGE

August 23, 2017  
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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |