

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CR No.8217 of 2014(O&M)
Date of decision: 09.02.2017

Mohd. Feroze

....Petitioner

Versus

Deepak Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Rahul Rampal, Advocate, for the petitioner.

Mr.Tanmay Gupta, Advocate, for
Mr.Naveen Bawa, Advocate, for the respondent.

G.S. SANDHAWALIA, J. (Oral)

Present revision petition is directed against the order dated 13.11.2014, whereby provisional assessment has been done by the Rent Controller.

Counsel for the petitioner has raised an argument that there was an objection regarding the fact that the property was situated outside the Municipal limits and the Rent Controller had no jurisdiction.

In view of the judgment of Division Bench of this Court in **Tirlok Singh Anand Vs. M/s Prem Chand & Sons and others 2012 (2) RCR (Rent) 472**, appeal is maintainable, since the assessment order has been passed under Section 13 of the East Punjab Rent Restriction Act, 1949.

Faced with this situation, counsel for the petitioner does not press the present revision petition, with liberty to avail his remedy before the Appellate Authority, in view of the judgment passed in **Tirlok Singh Anand (supra)**.

Dismissed as not pressed.

In case the appeal is filed within a period of 2 weeks from today, the stay shall remain in operation till 28.02.2017. It will be open to the Appellate Authority to further protect the petitioner.

February 9th, 2017

(G.S. SANDHAWALIA)
JUDGE

Sailesh

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No