

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

**Civil Revision No.98 of 2017
Decided on : 12.01.2017**

Malvinder Singh

... Petitioner

Versus

Vikrant Gupta

... Respondent

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

Present: Mr. Namit Khurana, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

The challenge by the petitioner-tenant is to the order dated 25.11.2016 passed by the Rent Controller, Yamuna Nagar at Jagadhri (Annexure P-7). Vide the said order, the petitioner's application for filing counter-claim was rejected on the ground that the controversy between the parties regarding the pendency of the arrears of rent will be decided after adducing evidence by both the parties. If it is found that the petitioner has paid excess amount, the same would be ordered to be adjusted in future rent and could be refunded from the landlord.

The grouse of the petitioner is that arrears were claimed from 05.09.2011 to 04.10.2014 @ ₹ 1,800/- per month. The property had been purchased subsequently on 04.11.2014 and the petitioner had already deposited the amount in the Court.

The interest of the petitioner as noticed has been protected by the Rent Controller and it has been observed that at the time of final disposal, if it is found that he is entitled for the refund of the excess amount, the same would be given to him.

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In such circumstances, the order impugned does not suffer from any infirmity, which would warrant interference. Accordingly, the present revision petition is dismissed.

JANUARY 12, 2017

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No