

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.1259 of 2018 (O&M)
Date of Order: 09.08.2018

Smt. Darshana Rani and others

..Petitioners

Versus

Pawan Kumar

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Munfaid Khan, Advocate, for
Mr. Amit Kumar Jain, Advocate,
for the petitioners

ANIL KSHETARPAL, J(Oral)

Landlords-petitioner are in the revision petition against the order passed by the learned Appellate Authority, assessing provisional rent payable, while modifying the order passed by the learned Rent Controller.

Learned Appellate Authority has noticed that the lease deed dated 01.12.2007 is for a period of 8 years with a provision to increase the rent @ 10% per year. Learned Appellate Authority has found that such lease deed is required to be compulsorily registered under the Indian Registration Act, 1908. Hence, the first appellate court has held that the clause providing for increase of rent @ 10% per year cannot be enforced in absence of a registered lease deed. In any case, only provisional rent has been assessed. Learned Rent Controller is yet to finally adjudicate upon the petition.

In view thereof, this court does not find any good ground to interfere.

The revision petition is dismissed.

August 09, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No