

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

C.R No. 1576 of 2018 (O&M)
Date of decision : May 25, 2018

Sumitra Devi

..... Petitioner

v.

Pratishth Mandir Murti Thakur Shyama Ballabji (Trust)

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Kunal Muthreja, Advocate
for the petitioner.

Mr. Amit Jain, Advocate
for the respondent.

Ajay Tewari, J (Oral)

On 4.4.2018, the following contention was noticed :-

“ Learned counsel states that the main ground which would show that the premises is in still in the occupation of the petitioner is the fact that he is ready to increase the rent to any reasonable figure which the Court may deem fit.”

Counsel for the respondent has shown to counsel for the petitioner two lease deeds; one is of the year 2010 and the second is of 2017 of neighbouring shops. As per the lease deed of 2010, one of the neighbouring shops was let out @ ₹ 6000/- per month and as per the lease deed of 2017, one of the neighbouring shops was let out @ ₹ 10,000/- per month. It is his contention that even if the rate of rent cannot be more than ₹ 10,000/- per month but in any case it cannot be less than ₹ 6000/- per

month.

Counsel for the petitioner states that the petitioner cannot pay more than ₹ 500/- to ₹ 600/- per month because the other tenants of neighbouring shops like the petitioner are paying about that much amount.

In my considered opinion, even though the stand of counsel for the respondent is quite fair and the petitioner being an old tenant cannot be expected to pay the rent of 2018 but likewise she cannot claim that she be charged rent at a rate which was prevalent 20 to 30 years ago. Consequently, this petition is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

May 25, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No