

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

**CR No.2053 of 2018 (O&M)
Date of Decision: April 24, 2018**

Som Nath ...Petitioner

Versus

Harpreet Singh ..Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Harpreet S. Rakhra, Advocate
for the petitioner.

FATEH DEEP SINGH, J.

Challenge through this civil revision petition is to an order dated 07.02.2018 of the Court of learned Additional Civil Judge, (Senior Division) Balachaur, whereby, the Court below has allowed the application of the tenant-Harpreet Singh and, thus, directed restoration of electricity supply to tenanted premises of the then applicant now respondent.

Upon hearing learned counsel for the petitioner and perusing the records of the case. It is duly admitted stand of the petitioner that he happens to be landlord of premises comprising of a shop, where the respondent is running his business but alleges that tenant has not paid the arrears of rent and at no point of time supply of electricity by the landlord to the tenant was a condition of this tenancy and denied that any electricity was given to the tenant

Appreciating the submissions and as is apparent from the records, the tenancy is in operation since the year 2015 and obviously being a shop meant for commercial use must be provided with electricity for successful running of the business and, therefore, the claim of the landlord that electricity was never supplied and the tenant has taken it from the neighbouring shop does not auger well. Rather what one can draw the inference and has rightly done so by the Court below that on account of dispute over arrears of rent as an arm twisting tactics apparently disconnected the supply to the premises of the tenant for an obviated cause and, thus, has rightly drawn the conclusion that it is the obligation of the landlord to provide basis amenities to the tenant when he has rented out the premises and has rightly keeping in view the ends of justice passed the impugned order which could not be found fault with being a basic amenity and is inseparable part of business activity to be run in the commercial premises. Thus, finding no merit the present revision petitions stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

April 24, 2018
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No