

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

CR-3162-2018 (O&M)

Date of Decision: 06.07.2018

Rajesh Kumar Grover

... Petitioner

Versus

Sandeep Bhusri

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Kamal Grover, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

The instant revision petition is directed against the order dated 28.09.2017 passed by the learned Rent controller, Fazilka and in terms of which ejectment of the petitioner/tenant has been directed from a residential house. Further challenge is to the order dated 01.02.2018 passed by the Appellate Authority (Rent Act), Fazilka affirming the ejectment order passed by the Rent Controller.

2. Counsel for the petitioner has been heard at length and pleadings on record have been perused.

3. The uncontroverted facts which emerge from pleadings on record are that a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 had been filed by the landlord seeking ejectment of the tenant (petitioner herein).

4. Provisional rent had been assessed by the trial Court vide order dated 19.08.2017. Concededly, no challenge was laid by the tenant to the order passed by the Rent Controller, whereby provisional rent had been assessed. The impugned order of ejection passed by the Rent Controller and affirmed by the Appellate Authority is on the ground that the tenant has

not paid the provisional rent so assessed.

5. Under such circumstances, no infirmity is found in the order of ejection passed by the Courts below as the same would be in conformity with the dictum laid down by the Apex Court in **Rakesh Wadhawan Vs. M/s Jagdamba Industrial Corporation, 2002 (1) RCR (Rent) 514.**

6. Petition is dismissed.

06.07.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |