

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

774

CR No.6388 of 2009 (O & M)
Date of Decision:03.08.2018

Satya Pal Kalra and others

...Petitioners

Versus

M/s Addisons Paints and Chemicals Ltd.

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjay Majithia, Advocate with
Mr. R.P. Daaria, Advocate
for the petitioners.

ANIL KSHETARPAL, J.(Oral)

On 01.08.2018, this Court after noticing the fact that the tenant had taken a stand that they have vacated the premises, passed the following order:-

“Learned counsel for the petitioner/landlord has submitted that once tenant had taken a stand that they have vacated the premises, Rent Controller to have passed a decree for recovery of the arrears. Prima facie this Court is of the view that Rent Controller cannot pass any decree for recovery to the amount. Only civil suit is maintainable. However, learned counsel for the petitioner wishes to assist this Court.

Adjourned to 02.08.2018. ”

Learned counsel for the petitioner fairly submits that the Rent Controller cannot pass any order of recovery. He also informed the Court that various civil suits for recovery of the amount have been filed.

Keeping in view the aforesaid fact, this revision petition is disposed of with liberty to the petitioner to pursue the aforesaid civil suits for recovery of the amount.

Needless to say, any observation made by the Rent Controller or the Appellate Authority or by this Court would not come in the way influence the civil Court while deciding the suit on merit.

Revision petition is disposed of.

All the pending miscellaneous applications, if any, are disposed of, in view of the above said judgment.

03.08.2018
sheetal

(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No