

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

234

CR-3629-2017

Date of Decision : September 06, 2019

AJIT SINGH

.....Petitioner

VERSUS

BHAGWANT KAUR

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Abhinav Singh, Advocate for
Mr. Sourabh Goyal, Advocate
for the petitioner.

Mr. Akshay Jindal, Advocate with
Ms. Janya Sirohi, Advocate
for the respondent.

NIRMALJIT KAUR, J. (Oral)

The present revision is filed challenging the order dated 18.4.2017 vide which the Rent Controller, Panchkula dismissed the application of the petitioner-tenant seeking permission to tender the rent.

Admittedly, the petitioner-tenant did not accept the respondent as landlord and disputed the ownership. Accordingly, the rent was not assessed and, therefore, the petitioner-tenant also did not deposit the same. Subsequently, he filed application to amend his pleadings by wanting to accept the respondent as the landlord as well as the owner. The said application is dismissed by an order of even date having been moved at the stage of final hearing

Accordingly, no fault can be found with the order dated 18.4.2017 dismissing the application of the petitioner-tenant for tendering

the rent. Moreover, this Court is bound by its own order dated 6.7.2019 passed in M/s Gawritex Industries Limited, Panchkula Vs. Sqn Ldr. Gurdial Singh (Retd.) & others wherein it was held that the landlord loses the opportunity to make the payment towards the arrears of rent once the ownership of the concerned person to whom the petitioner now wishes to tender the rent is established after a specific plea by him that the respondent was neither the landlord nor the owner. In the present case, the petitioner himself at the first instance had denied the relationship of landlord-tenant as well as his ownership.

Dismissed accordingly.

September 06, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No