

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

CR No.6055 of 2018 (O&M)

Date of Decision:14.05.2019

M/s Arun General Store

.....Petitioner

Versus

Shree Sanatan Dharam Senior Secondary School

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.Amandeep Singh, Advocate
for Mr.S.K.Aggarwal, Advocate
for the petitioner.

Mr. Keshav Pratap Singh, Advocate
for the respondent.

LISA GILL, J(Oral).

This petition has been filed challenging order dated 28.08.2018 whereby provisional rent has been assessed by the learned Rent Controller, Bhiwani.

It has been held by this Court in **M/s Imperial Gardens Pvt. Ltd. versus J.P. Singla and another 2012(3) RCR (Civil) 177** and by the Hon'ble Supreme Court in **Harjit Singh Uppal versus Anup Bansal 2011(4) SCC (Civil) 638** that order of assessment of provisional rent is an appealable order being an order passed under Section 13 of the Haryana Urban (Control of Rent & Eviction Act), 1973.

At this stage, learned counsel for the petitioner submits that he may be permitted to withdraw this petition with liberty to file an appeal before the learned Appellate Authority.

Petition is dismissed as withdrawn with liberty as aforesaid. It is clarified that there is no expression of opinion on the merits of the case and needless to say, appeal along with application for condonation of delay, if any, filed by the petitioner, shall be decided by the Appellate Authority, in accordance with law.

14.05.2019
s.khan

[LISA GILL]
Judge

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