

CR No.6853 of 2019

Date of Decision: 31.10.2019

Narinder Pal Singh

.....Petitioner

Versus

Jaspreet Singh

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Yogesh Saini, Advocate, for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

The present revision petition is filed against the order dated 17.7.2019 passed by the Rent Controller, vide which, the provisional rent was assessed @ ₹ 38,000/- per month w.e.f. 1.12.2017.

Aggrieved with the said order of assessment, the petitioner filed an appeal. The appeal too was dismissed. Hence, the present revision petition.

It is contended that as per the rent deed, the petitioner was required to pay rent only in case the electricity connection was changed from 20 KWs to 40 KWs. Since the connection was upgraded to 40 KWs only on 8.5.2018, the petitioner is not required to pay any rent from 1.12.2017 to 8.5.2018.

This very argument cannot be accepted. It is hard to accept that a place can be given on rent without rent. A perusal of the agreement shows that the shed was rented out @ ₹ 38,000/- per month. In fact, it is evident from Clause 2 of the Rent Deed that rent was to start from 1.3.2017 itself with a further stipulation that rent shall be paid between 1st to 5th of every month. The provisional rent has also been fixed @ ₹ 38,000/- per month and no more. Hence, no fault can be found with the provisional order of

assessment. The very revision petition is misconceived, which was filed

knowing fully well about the Clause 2 of the Rent Deed as mentioned in Annexure P-3.

At this stage, learned counsel for the petitioner submitted that he may be allowed to withdraw the present revision petition lest the observation affect the rent to be assessed for the period beyond 8.5.2018.

Dismissed as withdrawn.

(NIRMALJIT KAUR)
JUDGE

31.10.2019

sharmila

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