

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

**Civil Revision No. 19 of 2019 (O&M)
Date of Decision: March 07, 2019**

Anish Kumar Seth

.....PETITIONER

VERSUS

Swaideep Singh Brar

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.D.Sachdeva, Advocate
for the petitioner.

Mr. Arihant Jain, Advocate
for the respondent.

SURINDER GUPTA, J.(Oral)

Heard.

Learned counsel for the petitioner seeks permission to withdraw this petition leaving the issue open to be decided by the Rent Controller as to whether rate of rent is ₹11,000/- as alleged by the plaintiff/respondent or ₹4,000/- as alleged by the petitioner. He submits that petitioner is a petty shopkeeper and in order to save his eviction, he is ready to pay the rent as assessed by learned Addl. Civil Judge (Sr. Division), Patiala but he be allowed to pay the same in two installments.

Learned counsel for the respondent has no objection if the petitioner is allowed to make the payment of assessed rent in two installments with direction to pay the rent on or before 10th of each subsequent month.

In view of submissions of learned counsel for the petitioner,

this petition is allowed to be withdrawn on following terms:

- (i) the issue as to whether the rate of rent is ₹11,000/- per month or ₹4,000/- per month will be decided by learned Additional Civil Judge (Sr. Division), Patiala on merits after recording evidence of the parties. The withdrawal of this petition will not lead to any inference either against petitioner or in favour of the respondent.
- (ii) the petitioner will pay the arrears of rent as assessed by the Court below in two installments. The first installment of ₹1,10,000/- will be paid on or before 22.03.2019 and second installment shall be payable on or before 22.04.2019. The petitioner will also pay the arrears of rent from November to March 31, 2019 within four weeks from today and shall keep on paying the rent of subsequent month on or before 10th of each subsequent month.

March 07, 2019.
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***