

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

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CR-1441-2020 (O&M)

DATE OF DECISION: 28.02.2020

JAGTAR SINGH AND ANOTHER

... Petitioner (s)

Versus

BHAGWATI DEVI MEMORIAL SOCIETY FOR BLIND (REGD)

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Saurabh Kapoor, Advocate for the petitioners.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners have challenged the order dated 05.02.2020 whereby the Rent Controller has assessed the provisional rent.

Learned counsel for the petitioners contends that the rent of the demised premises, which had been let out to the petitioner in the year 1982 was Rs.50/- per month and, therefore, the Rent Controller has erroneously fixed it at the rate of Rs.600/- per month. He also contends a direction for payment of rent since January 2001 could not have been issued as petitioner had paid rent till January 2019.

Heard.

The demised premises are stated to have been let out in the year 1982. The respondent had filed the petition for eviction of the petitioner from the premises on account of non-payment of rent and *bona fide* necessity. The petitioner has relied upon the rent receipts issued in the year 2000 with regard to payment of rent at the rate of Rs.600/- per month. The petitioner had contended that these receipts were for donation which he had been making

to the respondents frequently. The respondent-society is a society dedicated to the welfare of visually challenged and is running a charitable eye hospital with emphasis on treatment to patients at nominal expenses without any profit motive. The assessment of provisional rent at the rate of Rs.600/- per month by relying upon the receipts, which had been produced by the respondent—landlord, cannot be faulted at this stage.

Consequently, I do not find any manifest illegality in the impugned order which would warrant interference while exercising revisional jurisdiction. The petition stands dismissed.

It is clarified that nothing, which has been observed hereinabove, shall be deemed to have any bearing on the merits of the case and the quantum of rent which was payable as well as the period thereof would be finally determined by the Rent Controller in terms of the evidence led by the parties in the course of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

28.02.2020.

SwarnjitS

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