

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

118

**CR No.818 of 2021
Decided on : 08.10.2021**

Shakuntla Devi & another

... Petitioners

Versus

Naresh Kumar Baghai & another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.K.B.Raheja, Advocate, for the petitioners.

G.S. Sandhawalia, J. (Oral)

A perusal of the report dated 24.03.2021 received from the Civil Judge (Jr.Divn.) Abohar would go on to show that provisional rent was assessed on 25.02.2021 was received by petitioner No.2 on 24.03.2021.

On 23.08.2021, the following argument was raised before this Court:

“It is pointed out that eviction petition titled *Shakuntla Devi and Anr. v. Naresh Kumar Baghai and Anr.* (Annexure P-3) was filed on the ground of non-payment of rent along with application (Annexure P-1) for assessment of rent and order to pay the same to petitioners. It is submitted that since the the last two and half years, consideration on the application for assessment of provisional rent has still not been made by the Rent Controller.

Accordingly, let explanation of the officer concerned be sought for through learned District and Sessions Judge, Fazilka before proceeding in the matter further.

List on 08.10.2021.”

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Thus, it is apparent that the explanation from the Officer was called for on the basis of absolutely incorrect facts. Resultantly, this Court is of the opinion that the petitioners are liable to pay notional costs of Rs.1000/- each, to be deposited with the Legal Services Authority at Abohar. In case the amount is not deposited, the evidence of the petitioners shall be struck off and shall not be taken into consideration.

Resultantly, in view of the above discussion, the present revision petition stands dismissed in limine.

October 8, 2021
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No