

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

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IN VIRTUAL COURT

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CR No. 1578 of 2021 (O & M)

Date of decision : 17.8.2021

Neeraj Soni

.....Petitioner

Vs.

Balinder Partap Narula

.....Respondent

CR No. 1602 of 2021 (O & M)

Neeraj Soni

.....Petitioner

Vs.

Balinder Partap Narula

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. J.P. Sharma, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

Counsel for the petitioner submits that if the observations made by the Court below qua invalidity of the receipt claimed by the petitioner for having paid the arrears of rent to the respondent-landlord are expunged then the petitioner would prefer to withdraw the present petitions. These observations, if not set aside or clarified by this Court, would defeat the right of the petitioner to rebutt the claim of the landlord.

Needless to say that the Rent Controller has passed the order challenged in the present petitions; by way of determination of provisional rent and even the said observations of that Court are expressly stated to be only prima facie in nature. Therefore, these observations of the Court are

not to be taken as final finding on the issue of validity of receipt claimed by the petitioner.

In view of the above, the present petitions are dismissed as withdrawn. However, the petitioner would be at liberty to raise before the Rent Controller the issue of validity of the receipt claimed by him and to lead evidence qua thereto, subject to the compliance qua payment of the amount provisionally determined by the Rent Controller.

A photocopy of this order be placed on the file of the connected case.

**(RAJBIR SEHRAWAT)
JUDGE**

17.8.2021
Ashwani

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