

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

CR-3179 of 2021 (O&M)

Date of decision: 09.12.2021

Jagjit Singh

...Petitioner

Versus

Abnash Singh Luthra

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. S.K. Rattan, Advocate for the petitioner.

H.S. MADAAN, J.

1. In an ejectment petition filed by petitioner/landlord Abnash Singh Luthra, a senior citizen, aged about 70 years against respondent/tenant Jagjit Singh on the ground of respondent/tenant being in arrears of rent w.e.f. April 2017 till filing of petition, which was on 19.12.2019, the respondent/tenant appeared and filed written statement, to which rejoinder was filed. The Rent Controller, vide a detailed order dated 13.10.2021 has assessed the provisional rent, the total coming out to Rs.7,21,246/- directing the respondent/tenant to make payment of such rent assessed by 13.12.2021.

2. The respondent/tenant has challenged that order by way of filing the present revision petition.

3. I have heard learned counsel for the revisionist besides going through the record and I find that the revision is absolutely

without merit. The revisionist/tenant having taken the premises belonging to petitioner/landlord, a senior citizen, on rent was supposed to pay rent regularly. The very fact that he has been not doing so and committing defaults, the petitioner/landlord had to adopt legal recourse to effect recovery of arrears of rent. The revisionist/tenant cannot take plea of he being a handicapped person and unable to arrange money on account of his business having been affected due to outbreak of COVID-19. As it comes out from the record, the respondent is running a crane service and person doing that type of business cannot come up with a plea that he is a poor person, unable to arrange money to pay the rent. The revisionist/tenant had taken the premises on rent voluntarily and not under any compulsion, initially at rate of rent of Rs.14,300/- per month. If he could not afford to pay that much rent, he should not have taken such type of premises on rent at all. He cannot possibly take plea of his being a handicapped person and his business having been affected on account of outbreak of COVID-19. It has to be noticed that COVID-19 had started showing visible marks from March 2020 onwards and now the situation has more or less returned to normal. The period for which the revisionist is stated to be in arrears of rent is much prior to that. It is to be kept in mind that the landlord has been deprived of the rent for a pretty long time and the revisionist is not entitled to any indulgence so as to allow him more time for making payment of arrears of rent or permitting him to pay that amount in instalments.

4. The impugned order is quite detailed, well reasoned and does not suffer from any illegality or infirmity, which might have called for interference by this Court by exercising revisional jurisdiction. The revision petition is bound to fail and the same stands dismissed.

09.12.2021

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No