

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

CR-1808-2022 (O&M)

Date of decision : 10.05.2022

Martin & Harris Pvt. Ltd.

... Petitioner(s)

Versus

Ranvir Uppal & Others

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. H.L. Tikkoo, Senior Advocate with
Mr. Sharan Sethi, Advocate and
Ms. Yashmeet Kaur, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

The only grouse raised in the present revision petition under Article 227 of the Constitution of India is qua the observations made by the Rent Controller in the order dated 28.03.2022 which read as under :

“8. In the opinion of this court, since the petitioners in their eviction petition have elaborated in detail that it is only the basement and the second floor of the building in question which suits their personal requirement, in such a case, letting out or getting vacated the ground floor of the said building by the petitioners, becomes irrelevant to the merits of this case.....”

Learned counsel for the petitioner would contend that the said finding given by the Rent Controller in para 8 of the order dated 28.03.2022 is in fact a finding on the merits of the case which would adversely affect the case of the petitioner.

Heard.

In the present case, though a definite opinion seems to have been expressed by the Rent Controller in the order dated 28.03.2022, however, it has been clarified in para 10 of the said order that *“It is further made clear that any opinion expressed by this Court while passing this Order shall have no effect upon the merits of the case”*.

In view of the conclusion in the order dated 28.03.2022, no further clarification is called for. It is, however, made clear that any observations made in the order dated 28.03.2022 shall have no effect on the merits of the case.

Disposed off accordingly. Pending applications, if any, also stand disposed off.

10.05.2022
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO