

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

108

CR-6206-2022 (O&M)

DATE OF DECISION: 06.02.2023

SHIVANI SACHDEV

... Petitioner (s)

Versus

SANDEEP SINGH AND ANR.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ranjit Saini, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the judgment passed by the appellate Court dated 07.11.2022 whereby his appeal challenging the judgment passed by the Rent Controller dated 21.09.2022 directing his eviction on account of non-payment of rent has been dismissed.

Learned counsel for the petitioner submits that due to compelling circumstances and Covid-19 pandemic, the petitioner could not deposit the provisional rent within the prescribed period and, therefore, he ought to have been granted another opportunity to do so.

Heard.

The respondent-landlord had filed a petition for eviction of the petitioner on various grounds including non-payment of rent. The assessment of the provisional rent was made by the Rent Controller on 18.07.2022 and the respondent was directed to tender the provisional rent by 21.09.2022. The order of assessment of the provisional rent had not been challenged by the petitioner. He had also failed to deposit the provisional rent by 21.09.2022. It has been held by the Supreme Court in the case of **Rakesh Wadhawan Vs.**

M/s. Jagdamba Industrial Corporation, 2002 (1) R.C.R. (Rent) 514 that in the event of non-deposit of the provisional rent by the prescribed date, the petition for eviction would be allowed.

Consequently, I do not find any infirmity in the impugned judgment directing the eviction of the petitioner on account of non-deposit of the provisional rent by the prescribed date.

The petition stands dismissed.

Civil miscellaneous application(s), if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

06.02.2023
SwarnjitS

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