

CR-9154-2017 (O&M)

1

220-3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-9154-2017 (O&M)
Reserved on : 15.03.2024
Date of decision : 01.04.2024

Manoj Mehta ... Petitioner(s)

Versus

Raj Kumar and Another ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Zorawar Singh Chauhan, Advocate for the petitioner.

Mr. Sarju Puri, Advocate for the respondents.

ALKA SARIN, J.

1. The limited question arising in the present case is whether a British Passport holder would be covered under the definition of a Non-Resident Indian (NRI) under the East Punjab Urban Rent Restriction Act, 1949.

2. On 22.12.2017 the following order was passed :

“Petitioner (tenant) is in revision directed against the order dated 29.09.2017 passed by the Rent Controller, Shaheed Bhagat Singh Nagar, whereby leave to contest has been declined in the eviction petition filed by the

NRI landlord under Section 13 B of The East Punjab Urban Rent Restriction Act 1949.

It is contended that concededly the NRI landlord is a British Passport holder and the issue as to whether the foreign passport holder would be covered under the definition of an NRI under the 1949 Act is pending reconsideration before the Hon'ble Supreme Court.

Notice of motion for 19.04.2018.

In the meanwhile dispossession of the petitioner from the demised shops as mentioned in the petition shall remain stayed subject to clearance of all arrears of rent within next 15 days and continue to pay the future rent by 10th of each Calendar month, failing which the interim protection shall be deemed to be automatically vacated.”

3. Learned counsel for the respondents, at the outset, states that the Hon'ble Supreme Court in the case of **Ram Krishan Grover & Ors. Vs. Union of India & Ors. [2019 (2) RCR (Rent) 703]** has held that a person of Indian origin holding a foreign passport falls within the definition of an NRI.

4. Learned counsel for the petitioner has stated that this was the only question arising in the present revision petition.

5. In view of the above and in view of the law laid down in the case of **Ram Krishan Grover** (supra), the present revision petition being

CR-9154-2017 (O&M)

3

devoid of any merits is accordingly dismissed. Pending applications, if any, also stand disposed off.

01.04.2024
Yogesh Sharma

(ALKA SARIN)
JUDGE

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