



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

120

CR-2882-2024 (O&M)
Date of decision: 13.05.2024

Rakesh Kochhar
...Petitioner

Versus

Suraj Kumar Sharma
...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. N.C. Kinra, Advocate for the petitioner.

VIKAS SURI, J.

- Through this revision petition filed under Section 15(5) of the East Punjab Urban Rent Restriction Act, 1949, the present petitioner/landlord assails the order dated 12.03.2024 (Annexure P-5), whereby the Appellate Authority has modified the order dated 20.10.2023, passed by the Rent Controller, Phagwara, assessing provisional rent for 115 months along with interest and costs, totaling to Rs.1,18,70,000/-.
- Learned counsel for the petitioner submits that the Appellate Authority, by observing that evidence was yet to be led and in the absence of any proof of payment at that stage, reckoned the rate of rent at the rate of Rs.5000/- per month by reducing from Rs.80,000/-



assessed by the Rent Controller and correspondingly the arrears of rent with interest and costs was recalculated amounting to Rs.7,42,312/-. It is further submitted that the aforesaid amount stands tendered by the respondent/tenant, which has been accepted by the petitioner under protest as is evident from the order dated 05.04.2024 (Annexure P-6). Learned counsel would submit that the eviction has been sought on two counts (i) non-payment of rent and (ii) personal necessity.

3. Learned counsel for the petitioner further submits that the petitioner does not wish to further agitate the issue regarding provisional assessment of rent and reserves his right to prove the rate of rent by adducing cogent evidence before the Rent Controller but prays for an expeditious disposal of the rent petition. He submits that the said proceedings are now pending for 02.07.2024. Learned counsel undertakes to lead his entire evidence in two effective opportunities with the assistance of the Court for securing the presence of the official witnesses/public record.

4. Heard learned counsel for the petitioner.

5. In view of the limited prayer made by learned counsel for the petitioner, the present petition is disposed of with a request to the Rent Controller, subject to the petitioner's adhering to the undertaking given before this Court as noticed hereinabove, to dispose of the rent petition at an early date, by allowing reasonable opportunity to the respondents to lead their evidence, in accordance with law.

6. It is made clear that any observations made hereinabove



shall not be treated as an expression of opinion on the merits of the case.

7. The revision petition stands disposed of in the aforesaid terms.

8. Pending applications, if any, also stand disposed of.

May 13, 2024
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(VIKAS SURI)
JUDGE

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