



CR No. 3914 of 2025 (O&M) and other connected cases -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CR No. 3914 of 2025 (O&M)
DATE OF DECISION: 11.07.2025

RAJINDER SINGH @ RAJINDER SINGH WARAICH

.....PETITIONER

Vs.

KULWANT RAI AND OTHERS

.....RESPONDENTS

115.1

CR No. 3891 of 2025 (O&M)

RAJINDER SINGH @ RAJINDER SINGH WARAICH

.....PETITIONER

Vs.

TAJINDER @ TAJINDER SINGH AND OTHERS

.....RESPONDENTS

115.2

CR No. 3907 of 2025 (O&M)

RAJINDER SINGH @ RAJINDER SINGH WARAICH

.....PETITIONER

VS.

AMRIK SINGH AND ANOTHER

...RESPONDENTS



CR No. 3914 of 2025 (O&M) and other connected cases -2-

115.3

CR No. 3932 of 2025

RAJINDER SINGH @ RAJINDER SINGH WARAICH

....PETITIONER

vs.

**HARBANS SINGH @ HARBHAJAN SINGH CHHABRA AND
ANOHTER**

....RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rajiv Joshi, Advocate,
for the petitioner.

HARPREET KAUR JEEWAN, J. (ORAL)

1. This order shall dispose of four petitions, i.e., CR Nos. 3914, 3891, 3907, and 3932 of 2025, filed under Article 227 of the Constitution of India. Since all the petitions pertain to a common dispute, they are proposed to be disposed of by this common order by taking the facts from CR No. 3914 of 2025 for the sake of convenience.

2. Learned counsel for the petitioner submits that the Rent Controller has dismissed the application filed by respondent No. 1—tenant under Order XXXV Rule 3 read with Section 151 CPC, on the ground that, in view of the provisions of Order XXXV Rule 5 CPC, agents and tenants are not competent to institute interpleader suits. However, the proceedings before the Rent Controller have been stayed by the Appellate Authority vide the impugned order dated 17.11.2023 (Annexure P-3), without affording an opportunity of hearing to the petitioner at the time of issuance of notice of appeal.



2.1 It is further contended that the petitioner is neither receiving any rent nor the appeal being decided, which has been pending since 17.11.2023 before the appellate authority. In view of the stay order, the proceedings before the Rent Controller in the petition filed in the year 2019 have been stalled, causing the petitioner to suffer substantial financial loss, as the petitioners are not even receiving the rent.

3. In view of the facts and circumstances mentioned in the petition, the present petitions are disposed of with a direction to the Appellate Authority, Jalandhar to decide the appeal bearing Nos. 282/2023, titled Kulwant Rai vs. Rajinder Singh @ Rajinder Singh Waraich, 283 of 2023 titled Tajinder @ Tajinderjit Singh vs. Rajinder Singh @ Rajinder Singh Waraich, 280 of 2023 titled Amrik Singh vs. Rajinder Singh @ Rajinder Singh Waraich and 281 of 2023 titled Harbans Singh @ Harbhajan Singh Chhabra vs. Rajinder Singh @ Rajinder Singh Waraich and others within a period of six months from today.

4. However, in case any of the facts have been incorrectly stated in the present petition, the respondent shall have the right to file an application for recall of this order, subject to clearing the arrears of rent.

5. It is made clear that there is no expression on the merits of the case.

6. Pending miscellaneous application(s), if any, shall also stand disposed of.

JULY 11, 2025
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking

Yes

Whether Reportable

No