



CR-4707-2025 (O&M)

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

CR-4707-2025 (O&M)

Date of decision : 24.07.2025

Simranjit Singh Bakshi

...Petitioner

Versus

Paramjit Singh and another

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Janak Singh Bhinder, Advocate,
for the petitioner.

HARPREET KAUR JEEWAN, J. (Oral)

1. This civil revision under Article 227 of the Constitution has been filed for setting aside the order dated 01.07.2025 (Annexure P-15), passed by the Appellate Authority, Patiala, in Rent Appeal No.15 of 2025, tilted as *Simranjit Singh Bakshi Vs. Paramjit Singh*, thereby, vacating the stay order granted in favour of the petitioner-tenant during the pendency of the appeal.

2. As per the brief facts, respondent-landlord, Paramjit Singh, filed a petition (Annexure P-1) under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (for short, 'the Act') before learned Rent Controller, Patiala, seeking ejectment of the petitioner as well as respondent No.2 from the demised shop. The said petition was contested by the petitioner and respondent No.2 by way of filing reply (Annexure P-3). The Rent Controller vide order dated 06.02.2025 (Annexure P-6) assessed the provisional rent at the rate of Rs.12,660/- per month and directed the petitioner to make payment of provisionally



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assessed rent to the tune of Rs.4,99,918/- w.e.f. 01.09.2020 till 31.08.2023 (36 months). However, the provisionally assessed rent was not paid and ultimately, the Rent Controller passed the ejectment order dated 10.03.2025 (Annexure P-7).

2.2 The petitioner challenged the said ejectment order by preferring an appeal before the Appellate Authority and vide order dated 07.04.2025 (Annexure P-9), the ejectment order was stayed and the matter was adjourned for filing reply to the stay application filed on behalf of the petitioner. Ultimately, by passing the impugned order dated 01.07.2025, the Appellate Authority vacated the aforesaid interim stay order dated 07.04.2025, while observing that the request made by the petitioner to adjourn the matter for the purpose of filing an application for amendment of the Rent Appeal is merely to delay the proceedings.

3. Learned counsel for the petitioner submitted that there was a clerical error in the Rent Appeal drafted by the counsel, and the said error was required to be rectified, as such, an adjournment was sought to amend the appeal. It is further contended that the petitioner may be granted one opportunity to file an amended Rent Appeal and he would address the arguments before the Appellate Authority for disposal of the application filed under Section 151 of the Code of Civil Procedure, 1908 (for short, 'the CPC') by the respondent for dismissal of the appeal.

4. I have considered the aforesaid submissions and perused the paper-book.



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5. The relationship of landlord and tenant has not been disputed by the petitioner-tenant. The Rent Controller had directed the petitioner to pay arrears of the provisionally assessed rent w.e.f. 01.09.2020 till 31.08.2023, i.e. for 36 months. The said rent has not been paid till today. The learned counsel for the petitioner has also informed that the petitioner-tenant has not even paid the subsequent rent w.e.f. 01.09.2023 till date. The ejectment order was passed on the ground of non-payment of the provisionally assessed rent.

6. During the pendency of the appeal, though initially the order passed by the Rent Controller was stayed as the pleadings were required to be completed, but the Appellate Authority, while observing that the petitioner was just delaying the matter, subsequently vacated the said stay order.

7. Keeping in view the submissions made by learned counsel for the petitioner that no rent has been paid till today, this Court is of the considered opinion that equity is not in favour of the petitioner.

8. Consequently, there is no merit in the present revision petition and as such, the same is accordingly dismissed.

9. Pending miscellaneous applications, if any, shall stand disposed of.

24.07.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No