



CR No. 6532 of 2025

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-6532-2025 (O&M)
Decided on : 16.09.2025

Rajinder Kumar @ Rajiv

.....Petitioner

Versus

Rajinder Deva Yateem Khana Trust & Anr.

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Aayush Bansal, Advocate,
for the petitioner.Mr. Anuj Gupta, Advocate
For respondents No.1 and 2.**DEEPAK GUPTA, J.**

Tenant of the demised premises is before this Court, assailing the order dated 16.07.2025 of ejectment passed by Ld. Rent Controller and order dated 14.08.2025, whereby Ld. Appellate Authority affirmed the said order.

2. Perusal of paper-book would reveal that land-lord Rajinder Deva Yateem Khana Trust and another (*respondents herein*) filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 seeking ejectment of the tenant (*petitioner herein*) from the demised premises on the ground of non-payment of rent.

3. The tenants appeared before the Rent Controller and filed written reply.

4. Learned Rent Controller by way of the order dated 17.05.2025 assessed the provisional rent at ₹1,22,567/- including cost and interest and adjourned the matter to 16.07.2025 for payment of provisional rent, treating it to be first date of hearing as held in ***Rakesh Wadhawan Vs. M/s***



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Jagdamba Industrial Corporation 2002(2), (SC) RentLR 36. However, on the adjourned date i.e. 16.07.2025, the tenant (*petitioner herein*) failed to tender the provisionally assessed rent and so, by relying upon the law laid down by this Court in **Dr. S.S. Mann Vs. A.K. Sharma, 2009(2) CCC 472** and **Chand Kumar Ahuja Vs. Gurdarshan Singh Gill, 2012(1) RCR (Rent) 398**, the Rent Controller passed the ejectment order.

5. Learned Appellate Authority upheld this order on 14.08.2025, thus, dismissing the appeal of the tenants.

6. Assailing the aforesaid orders, the only submission made by learned counsel for the petitioner herein i.e. tenant is that the petitioner is ready to pay the entire arrears of rent.

7. Mr. Anuj Gupta, Advocate who has put in appearance on behalf of respondents No.1 and 2 has supported the impugned orders and submits that since the tenant failed to make payment of provisionally assessed rent, therefore, he was rightly ordered to be evicted.

8. Having considered the submissions of learned counsel for the parties, this Court does not find any merit in the instant petition.

9. The rent, as provisionally assessed by the Rent Controller on 17.05.2025 was not tendered by the tenant to the landlord on the adjourned date i.e. 16.07.2025. Therefore, in view of the settled legal position explained by Hon'ble Supreme Court in ***Rakesh Wadhawan's case (supra)***, no illegality was committed by the Rent Controller in ordering the ejectment of the petitioner. Learned Appellate Authority has rightly upheld the order.

10. As such, finding no merit in the instant revision petition, the same stands dismissed.

(DEEPAK GUPTA)
JUDGE

16.09.2025
Jiten

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