

2026:PHHC:047583



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

CR-2705-2026

Date of Decision: 25.03.2026

M/S PLATESMITH HOSPITALITIES AND OTHERSPetitioners

Versus

PARGAT SINGH SANDHU AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Ashish Aggarwal, Advocate
for the petitioners.

PARMOD GOYAL, J. (ORAL)

Present civil revision petition has been preferred under Article 227 of the Constitution of India by petitioners being aggrieved by order dated 28.01.2026 (Annexure P-6) passed by learned Rent Controller, Amritsar, whereby application under Order VII Rule 11 CPC read with Section 151 CPC vide which petitioner had sought rejection of eviction petition was dismissed.

2. In the present case, respondents-landlords had preferred eviction petition for non-payment of rent. The stand taken by petitioners-respondents in their application under order VII Rule 11 CPC was that matter regarding rent was duly compromised vide compromise dated 19.05.2024 and in pursuance of said compromise two cheques amounting to Rs.2,50,000/- each drawn on IndusInd Bank, Ranjit Avenue, Amritsar were handed over to respondents-landlords. It is the case of petitioners-applicants that since rent stands paid and matter stands compromised, present eviction petition is not maintainable and petition be rejected under Order VII Rule 11 CPC. On the other hand, case of respondents-landlords is that no

compromise has ever been entered into. Respondents-landlords had denied receipt of any cheques and payment of rent by the petitioners-tenants.

3. Admittedly, cheques have not been encashed in favour of respondents-landlords. When the compromise itself is being denied, it cannot be held that petitioners have no cause of action to file eviction petition. The claim of respondents-landlords is that they have not been paid rent till date, therefore, eviction petition would be maintainable. From pleadings it cannot be held that no cause of action has accrued to respondents-landlords. Otherwise also, at the stage of application under Order VII Rule 11 CPC only the pleadings made by petitioner can alone be taken into consideration. The defence or pleas by defendant cannot be considered by the Court while deciding application under Order VII Rule 11 CPC. The plea that rent stands paid is a plea taken by petitioners-tenants and, therefore, cannot be taken into consideration to decide the application under Order VII Rule 11 CPC.

4. No error in the conclusion drawn by learned Rent Controller, Amritsar can be found. Present revision petition is without any merit, hence, is dismissed.

5. Observations made above shall have no bearing on the merits of the case and same be decided in accordance with law.

6. Pending application(s), if any, is/are disposed of accordingly.

25.03.2026
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned : Yes
Whether Reportable : Yes/No