



CR No.2962 of 2024 (O&M)
CR No.3095 of 2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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1. Civil Revision No.2962 of 2024 (O&M)
Date of decision: February 2nd, 2026

Manjula Garg and anotherPetitioners
Versus

Rakesh Kumar Arora and anotherRespondents

2. Civil Revision No.3095 of 2024

Manjula Garg and anotherPetitioners
Versus

Rakesh Kumar Arora and anotherRespondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pawan Kumar Mutneja, Senior Advocate
with Mr. Shubham Aggarwal and
Ms. Suksham Aggarwal, Advocates
for the petitioners.

Mr. Puneet Jindal, Senior Advocate
with Mr. Vineet Chaudhary
and Ms. Malvika Aggarwal, Advocates
for the respondents.

VIKAS BAHL, J. (ORAL)

CM-20446-CII-2025

This is an application under Order XX Rule 12 read with
Section 151 CPC for issuance of appropriate directions to the petitioners to
pay mesne profits.

With the consent of learned senior counsel for the petitioners as



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well as learned senior counsel for the respondents, the present application is disposed of and both the revision petitions are taken up for hearing.

Main cases

1. The brief background of the present cases is that respondent No.1-Rakesh Kumar Arora along with Veena Kumari, his wife, had filed eviction petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 for eviction of the present petitioners as well as Preeti Garg, daughter of petitioner No.1 from the premises in question. The eviction was sought on the ground of non-payment of rent and also on other grounds. The present petitioners had filed a written statement in which they had denied the relationship of landlord and tenant. The Rent Controller on 23.11.2023 passed a cryptic order assessing the provisional rent in spite of the fact that the relationship of landlord and tenant had been denied by the petitioners without considering as to whether in such a case the said order was required to be passed or not. The petitioners filed an appeal against the said order, which was dismissed vide judgment dated 01.04.2024. The order dated 23.11.2023 as well as the said judgment dated 01.04.2024 were challenged by the petitioners by filing CR-3095-2024.

2. On 25.07.2024, a coordinate Bench of this Court was pleased to record the statement on behalf of the respondents to the effect that they shall not initiate execution proceedings. Since the petitioners did not pay the rent assessed even after the passing of the order of provisional assessment of rent, eviction order was passed by the Rent Controller on 07.12.2023 and appeal against the same filed by the petitioners was also dismissed on



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03.04.2024. Challenging the said two orders, CR-2962-2024 has been filed in which also the coordinate Bench of this Court on 25.07.2024 recorded the statement on behalf of the respondents to the effect that they shall not initiate execution proceedings. It is not disputed before this Court that the petitioners have denied the relationship of landlord and tenant.

3. During the course of arguments, a very fair stand has been taken by learned senior counsel for the petitioners as well as learned senior counsel for the respondents and on the basis of consent, both the revision petitions are disposed of with the following observations/directions:

- (i) The impugned orders dated 23.11.2023, 01.04.2024, 07.12.2023 as well as 03.04.2024 in both the revision petitions are set aside.
- (ii) Respondent No.1-Rakesh Kumar Arora is granted two weeks time to file replication, in case the same has already not been filed.
- (iii) The Rent Controller is requested to frame issues, if not already framed, within a period of three weeks from the date the pleadings are complete. Respondent No.1-Rakesh Kumar Arora would be given three effective opportunities to complete his entire evidence and the present petitioners would also be given three effective opportunities to complete their evidence after the evidence of respondent No.1-Rakesh Kumar Arora is complete.
- (iv) One effective opportunity would be given to respondent No.1 to lead rebuttal evidence, if any, in case he is entitled to the same



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as per law.

- (v) This Court has not opined on the merits of the case and the Rent Controller would decide the case independently, in accordance with law, as expeditiously as possible.
 - (vi) As undertaken before this Court, the counsel appearing before the Rent Controller would fully assist the Rent Controller in the expeditious disposal of the case and would not seek unnecessary adjournments.
4. Pending applications also stand disposed of.
5. Copy of this order be placed on the file of connected case.

February 2nd, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned

:

Yes

Whether reportable

:

No