

2026:PHHC:060752



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

122

CR-3392-2026

Date of decision :22.04.2026

KULDEEP KUMAR SARTHI

... PETITIONER

VERSUS

SMT. RAMKALI DEVI

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Kuldeep Kumar Sarthi, Advocate
for the petitioner.

Ms. Harmanjyot Kaur, Advocate,
Mr. Karamjeet Singh, Advocate and
Mr. Amar Vivek Aggarwal, Advocate
for the respondent.

PARMOD GOYAL, J. (ORAL)

1. The present revision petition has been preferred by the petitioner-tenant under Article 227 of the Constitution of India for setting aside the impugned order dated 17.03.2026 passed by the learned Rent Controller, Chandigarh whereby the provisional rent of the demised premises has been fixed at Rs. 12,000/- per month, and order dated 07.04.2026 passed by the learned Appellate Court, Chandigarh whereby appeal under Section 15 of East Punjab Urban Rent Restriction Act, 1949 preferred by petitioner-tenant was dismissed.

2. It is the case of the respondent-landlord that the premises were initially let out at a rent of Rs. 10,500/- per month w.e.f. 01.04.2022. Rent was subsequently increased to Rs. 11,500/- per month from April 2023, and thereafter it was increased to Rs. 12,000/- per month w.e.f. May, 2024. On the

other hand, the case of the petitioner–tenant is that the rate of rent was Rs.6,000/- per month.

3. It is not in dispute that both parties have relied upon payment of rent through bank accounts as rent was paid monthly through bank. A perusal of the bank entries shows that rent has been paid @ Rs. 6,000/- as well as @ Rs. 12,000/- per month.

4. Whether the agreed rate of rent was Rs. 6,000/- or Rs. 12,000/- is a matter which requires adjudication on the basis of evidence to be led by both the parties. Therefore, at this stage the fixation of provisional rent by the learned Rent Controller as affirmed by the learned Appellate Authority cannot be faulted with. The final determination of the rate of rent shall be made by the learned Rent Controller after appreciation of evidence led by both sides.

5. It is, however, clarified that in case the petitioner-tenant deposits any amount in excess of the rent ultimately determined, he shall be at liberty to seek refund or adjustment of such excess amount towards future rent.

6. With these observations, the present revision petition stands disposed of.

7. Pending miscellaneous application(s), if any, also stand(s) disposed of accordingly.

22.04.2026
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No