



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-3401-2026

Date of decision: 22.04.2026

Vinod Kumar

...Petitioner

Versus

Dr. Narinder Singh Gill and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Saurabh Arora, Advocate (Through VC)
for the petitioner.

Mr. Diwanshu Jain, Advocate for the respondents.

DEEPAK GUPTA, J. (ORAL)

It is a tenant's revision against order dated 15.12.2025, whereby provisional rent was assessed by learned Rent Controller.

2. It is not in dispute that last agreed rent between the parties was Rs.1,000/- per month. The dispute is regarding the period of arrears. As per the tenant i.e. petitioner herein, he had already paid the rent up to 28.02.2021, whereas the stand of the landlord was that rent had been paid up to 31.12.2009.

3. Tenant failed to produce any receipt showing the payment of rent up to 28.02.2021 as was alleged by him. Before this Court also learned counsel has conceded this position that no rent receipt was produced.

4. This is the consistent position of law that though the burden of proof to show the rate of rent is upon the landlord, but the payment of rent is to be proved by the tenant.

5. In these circumstances, there is no illegality in the impugned order passed by the Rent Controller, who has assessed the provisional rent w.e.f. 01.01.2010 onwards.

6. Apart from above, though no formal notice of motion has been issued, but Sh. Diwanshu Jain, Advocate, appeared for the respondent and has pointed out that even the revision is not maintainable as against the order for assessing the provisional rent, appeal can be filed. Learned counsel has relied upon '*Taninder Tandon vs. Dr. Anjan Parkash Kaur*' **2014 (69) RCR (Civil) 415**. Learned counsel for the petitioner herein could not refute the aforesaid legal contention.

7. On account of the aforesaid discussion, the present revision is hereby dismissed on account of maintainability as well as on merits.

22.04.2026
Yogesh

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No