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

CR-9386-2025 (O&M)

Date of decision : 09.02.2026

Harpreet Singh

...Petitioner

Versus

Santosh Kumari

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amandeep Singh, Advocate for the petitioner.

Mr. Rohit Duggal, Advocate for the respondent.

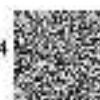
HARPREET KAUR JEEWAN, J. (Oral)

1. The petitioner-tenant herein has challenged the order of eviction dated 21.11.2025, passed by the Appellate Authority, Ludhiana, whereby the eviction order dated 04.10.2022, passed by the Rent Controller, Ludhiana, has been affirmed.

2. As per the relevant facts in brief, the respondent-landlord filed an ejectment petition against the petitioner-tenant on the ground of non-payment of rent and various other grounds (Annexure P-1). Vide order dated 02.09.2022 (Annexure P-3), the petitioner was directed to pay a sum of Rs.3,780/- towards provisional arrears of rent; Rs.349.65 as interest; and costs of Rs.2,000/-; total amounting to Rs.6,129.65.

2.2 On 04.10.2022, the Rent Controller passed the impugned ejectment order holding that the tenant had failed to tender the provisionally assessed rent on the first date of hearing.

2.3 The ejectment order was challenged by the petitioner-tenant before the Appellate Authority. The appeal filed by the petitioner has been dismissed by the Appellate Authority vide order



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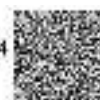
dated 21.11.2025, which has been challenged before this Court by filing the present Revision Petition.

3. I have heard learned counsel for the parties and perused the paper-book.

4. Learned counsel for the petitioner contends that the petitioner could not deposit the arrears before the fixed date, i.e. 04.10.2022, however, he had brought the amount in cash on the said date, but a call was given by the District Bar Association, Ludhiana, on account of death of a Senior Advocate, Shri Hari Mittar Sharma, as such, the Advocates were abstaining from work. Learned counsel has submitted in the Court various orders passed on 04.10.2022 by various Courts at Ludhiana, to show that the District Bar Association, Ludhiana was abstaining from work on account of demise of a senior member of the Bar, Shri Hari Mittar Sharma, and the cases were being adjourned. It is further submitted that the Reader of the Court had informed the petitioner to come on 06.10.2022 and make the payment of the provisional rent. However, the Rent Controller passed the ejectment order on 04.10.2022 by recording presence of learned counsel for the petitioner as well the respondent, on the ground of non-payment of provisional rent assessed by the Court.

5. Learned counsel representing the respondent submitted that the petitioner had filed appeal against the ejectment order passed by the Rent Controller and despite there being a direction to deposit the *mesne* profit, the same was not deposited and the landlord had to file execution petition. Even the objections filed by the petitioner were dismissed. The petitioner earlier approached this Court by filing a

Revision Petition, but this Court has observed that the petitioner may



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approach the Appellate Authority seeking extension of time. It is contended that the ejectment order has been rightly passed, since the provisionally assessed rent and even the *mesne* profit assessed by the Appellate Authority were not deposited.

6. Learned counsel for the respondent could not controvert that the District Bar Association, Ludhiana was abstaining from work on 04.10.2022. Learned counsel for the respondent has also not denied that the arrears of rent were subsequently accepted by the Landlord. In view of such circumstances, it is to be seen that the petitioner has been evicted not on merits, but merely at the preliminary stage, on account of non-payment of provisional rent. The ejectment order was passed on the same day, which was fixed by the Rent Controller for payment of rent and on that day, the District Bar Association was abstaining from work.

7. Keeping in view the aforesaid facts & circumstances, this Court is of the considered opinion that the petitioner should be granted an opportunity to contest the matter on merits. As such, by exercising its inherent powers, this Court extends the period for payment of the provisionally assessed rent by another 20 days from today.

8. Consequently, the impugned order of ejectment passed by the Appellate Authority dated 21.11.2025 as well as the order passed by the Rent Controller dated 04.10.2022 is set aside. The matter is remanded back to the Rent Controller, who shall decide the same afresh. Both the parties shall appear before the Rent Controller on 19.03.2026. On that day, the petitioner shall also submit his written statement before the Rent Controller and thereafter, the Rent Controller shall decide the matter after giving effective opportunities to both the



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parties.

9. Present petition is accordingly allowed.
10. Pending miscellaneous application(s), if any, shall also stand disposed of.

09.02.2026
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[HARPREET KAUR JEEWAN]
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No