RC 320/2018, CNR No. CHCH02-003018-2018

Manpreet Singh Vs Vineet Verma

Present: Sh. Y.S. Dhillon, Advocate for the petitioner.

Sh. Mahendra Pal, Advocate for the respondent.

Provisional rent assessed vide order dated 16.5.2019 not tendered. An 1.

application has been filed on behalf of respondent to allow the

respondent to pay the arrears of rent in installments on the ground

that the respondent is the only bread earner and his mother is

suffering from different ailments and he could not attend the shop

and is earning less. Reply not filed. Heard.

2. There is no such provision in the Rent Act to allow the respondent/

tenant to pay the provisional rent in installments. The application

being non-maintainable is hereby dismissed. Opportunity is granted

to the respondent to tender the rent alongwith interest and cost by

4:00 p.m. today, failing which the eviction order shall be passed. Let

the file be taken up again at 4:00 p.m.

Abhishek Phutela/RC/2.7.2019

(UID:HR0220)

Narender Kumar, Stenographer-II

Present: Sh. Y.S. Dhillon, Advocate for the petitioner.

None for the respondent.

File taken up again at 4:00 p.m. None has appeared on behalf of

respondent to tender the rent, interest and cost provisionally assessed vide

order dated 16.5.2019. In the light of law laid down in case Rakesh

Wadhawan Vs M/S Jagdamba Industrial Corporation 2002 (3) SCR

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RC 320/2018, CNR No. CHCH02-003018-2018

Manpreet Singh Vs Vineet Verma

468, no opportunity can be given to tender rent, interest and cost as

determined. As such, petition stands allowed with costs and the respondent

is directed to vacate and hand over vacant physical possession of demised

premises, fully detailed and described in the head note of the petition, to the

petitioner within a period of one month from today. Memo of costs be

prepared. File be consigned to the record room after due compliance.

Pronounced in open Court:

2.7.2019

(Abhishek Phutela) Rent Controller,

Chandigarh (UID:HR0220)

Narender Kumar, Stenographer-II