

## **Daulat Ram (Dead) By Lrs. And Ors. vs Santokh Singh And Ors. on 7 September, 1983**

**Equivalent citations: 1984SUPP(1)SCC395, 1984(16)UJ61(SC), AIRONLINE 1983 SC 15, 1984 UJ(SC) 61**

**Bench: D.A. Desai, O. Chinnappa Reddy**

### ORDER

1. Respondent applied for fixing of fair rent of a piece of open land belonging to the deceased appellant under Section 4 of the East Punjab Urban Rent Restriction Act. The learned Rent Controller fixed the fair rent at Rs. 72/-per month. In an appeal by the respondents, the first Additional District Judge fixed the fair rent at Rs. 38.50. After an unsuccessful revision petition to the High Court, the deceased landlord filed this appeal by special leave.

2. There is nothing in this controversy which should engage our attention save and except saying that there was no justification for interfering with the order of the learned Rent Controller fixing the fair rent at Rs. 72/- per month in respect of open plot of land situated in Mohalla Karim Purra in Ludhiana of Punjab and used by the respondents for carrying on some business. We accordingly direct that the respondents shall pay rent at the rate of Rs. 72/- per month as fair rent effective from September 1, 1983 but the arrears shall be payable by them according to the fair rent determined by the First Additional District Judge. The appeal is disposed of accordingly with no order as to costs.