



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(121)

CR-5721-2025 (O&M)

Date of Decision:-25.08.2025

TIKSHAN SUD

... Petitioner

Versus

SANDIP SINGH

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. K. S Dadwal, Advocate,
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. Petitioner has filed this petition under Article 227 of the Constitution of India seeking directions to the Rent Controller to decide the application for provisional assessment of rent expeditiously, which is pending since 28.03.2024 and the rent petition is being adjourned time and again unnecessarily at the instance of respondent/tenant, who is seeking adjournments by moving frivolous applications.

2. I have gone through the record.

3. Perusal of the copies of interim orders (Annexure P-3) shows that the petition is pending since 28.03.2024 and till date, the provisional assessment of rent has not been made by the Rent Controller.

4. Respondent put in appearance on 02.08.2024 and moved an application for setting aside *ex parte* proceedings, which was set aside on 16.08.2024 and a period of one year has since elapsed but the provisional assessment of rent has not been made. The respondent is seeking adjournment for filing reply to the application for provisional assessment of the rent and



thereafter, subsequently moved another application for dismissal of the petition by stating that the petition has been filed without any cause of action.

5. Petition has been filed on the sole ground that the respondent/tenant is in arrears of rent, so it was incumbent upon the Rent Controller to provisionally assess the rent and to come to a *prima facie* opinion as to if any rent is due towards the respondent/tenant but the learned Rent Controller has committed material illegality by not exercising the power vested in him, as application is pending for last more than one year, so it requires interference by this Court. Rent petitions are required to be disposed off expeditiously.

6. In view of that, the petition is allowed and Rent Controller is directed to decide the application of the petitioner for provisional assessment of rent within a period of one month from the date next fixed in the rent petition.

25.08.2025
S. Pathania

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No