



CR No. 3280 of 2025

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-3280-2025 (O&M)

Decided on : 09.09.2025

Dhingra Auto Sales & Anr.

.....Petitioners

Versus

Gandhi Memorial College for Women, Faridkot through its authorized representative/ Manager

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Surinder Garg, Advocate, for the petitioner.

**DEEPAK GUPTA, J.**

Tenant of the demised premises is before this Court, assailing the order of ejectment passed by Ld. Rent Controller and affirmed by the Ld. Appellate Authority.

2. Perusal of paper-book would reveal that land-lord Gandhi Memorial College for Women (*respondent herein*) filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 seeking ejectment of the tenants (*petitioners herein*) from the demised premises on the ground of non-payment of rent w.e.f. May 2018 onwards.

3. The tenants pleaded that rent had already been paid till February, 2020. However, he placed on record the rent receipts only up to October, 2017.

4. Learned Rent Controller by way of the order dated 17.07.2024 assessed the provisional rent for the period from May 2018 onwards at the rate of ₹ 2500/- per month as agreed between the parties, and after adding interest and costs, adjourned the matter to 21.08.2024 for tendering the provisionally assessed rent. However, on the adjourned date i.e. 21.08.2024, the tenants (*petitioners herein*) failed to tender the provisionally assessed rent and so, by relying upon ***Rakesh Wadhawan Vs.***



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***M/s Jagdamba Industrial Corporation 2002(2), (SC) RentLR 36***, the Rent Controller passed the ejectment order.

5. Learned Appellate Authority upheld this order on 11.03.2025, thus, dismissing the appeal of the tenants.

6. Assailing the aforesaid orders, the only submission made by learned counsel for the petitioners herein i.e. tenants is that the petitioners are ready to pay the entire arrears of rent and that landlord may be asked to even enhance the rent.

7. There is no merit in the contention.

8. The rent, as provisionally assessed by the Rent Controller on 17.07.2024 was not tendered by the tenants to the landlord on the adjourned date i.e. 21.08.2024. Therefore, in view of the settled legal position explained by Hon'ble Supreme Court in ***Rakesh Wadhawan's case (supra)***, no illegality was committed by the Rent Controller in ordering the ejectment of the petitioners. Learned Appellate Authority has rightly upheld the order.

9. As such, finding no merit in the instant revision petition, the same stands dismissed.

**09.09.2025**

***Jiten***

**(DEEPAK GUPTA)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No