



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

116

CR-3144-2024 (O&M)

Decided on: 03.03.2025

Raminder Singh

. . . Petitioner

Versus

Gurjit Kaur and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

PRESENT: Mr. Rohit Dheer, Advocate for the petitioner.

Mr. A. S. Narang, Advocate,  
Ms. Ishita Kaur, Advocate and  
Ms. Manpreet Kaur, Advocate and  
Mr. Satbir Singh, Advocate for respondent No.1.

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**VIKAS BAHL, J.(ORAL)**

**CM-9430-CII-2024**

1. This is an application filed under Section 5 of the Limitation Act for condonation of delay of 48 days in filing the present revision petition.

2. For the reasons stated in the application which is duly supported by an affidavit, the present application is allowed and delay of 48 days in filing the present revision petition is condoned.

**Main case**

1. Challenge in the present Civil Revision Petition is to the judgment dated 14.12.2023 passed by the first Appellate Court. Challenge



is also to the judgment dated 19.10.2023 passed by the Rent Controller, U.T. Chandigarh.

2. Learned counsel for the petitioner has submitted that the petitioner is also a co-owner of the property in question and by virtue of the order dated 19.10.2023, the Rent Controller, U.T. Chandigarh had observed that respondent No.1, who was also a co-owner, was entitled to receive the rent to the extent of 33.4% + 33.3% share as she was claiming a registered Will from the earlier owner and the said finding had been upheld by the Appellate Authority. It is further submitted that the petitioner has already filed a suit for declaration to the effect that the said Will is illegal and has challenged the same and has submitted that as per the case of the petitioner, the share of the father of the present petitioner, who is also the husband of respondent No.1, is to devolve upon the legal heirs without considering the Will. It is submitted that the primary reason for filing the present revision petition is that observations have been made in favour of respondent No.1 by relying upon the said Will, which is subject matter of challenge, hence the petitioner is apprehensive that the said observations made in the impugned orders may affect the decision in the civil suit. It is, thus, prayed that the Civil Court be directed to decide the suit independent of the observations made in the impugned orders.

3. Learned counsel for respondent No.1 has fairly submitted that the observations made in the impugned orders are only in rent proceedings and the Civil Court would decide the suit independent of the same after



taking into consideration the submissions made by both the parties concerned.

4. Keeping in view the abovesaid facts and circumstances and the limited prayer made by learned counsel for the petitioner and the fair stand taken on behalf of both the parties, the present Civil Revision Petition is disposed of with the observations that the civil suit filed by the petitioner for declaration would be decided by the Civil Court independent of the observations made in the impugned orders dated 19.10.2023 and 14.12.2023 and it would be open to both the parties to raise all pleas which are available to them during the said civil proceedings and the same would be decided in accordance with law.

5. Pending miscellaneous applications, if any, shall stand disposed of with the abovesaid order.

**03.03.2025**

*Pawan/Mehak*

**(VIKAS BAHL)  
JUDGE**

*Whether reasoned/speaking? Yes/No*  
*Whether reportable? Yes/No*