

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****136****CR-2005-2025(O&M)****Date of decision: 01.04.2025****Sunita Saini****...Petitioner(s)****Vs.****Narinder Singh****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Arun Takhi, Advocate  
for the petitioner.

**\*\*\*****NIDHI GUPTA, J.**

Present petition has been filed by the tenant under Article 227 of the Constitution of India for setting aside the impugned order dated 25.07.2023 (Annexure P-1) passed by the Ld. Rent Controller, Dasuya being wrong, illegal, void abinitio, nullity and without inherent jurisdiction; **and** further to set aside the impugned order dated 23.01.2024 (Annexure P-4); **and** also to set aside the impugned order dated 10.03.2025 (Annexure P-5) passed by the Ld. Executing Court thereby wrongly and illegally issuing warrants of possession with Police help without deciding the objections filed by the petitioner in gross violation of Order 21 Rule 22 CPC and Order 21 Rule 23 CPC thereby wrongly and illegally dispensing with service of notice upon the petitioner without recording any reasons are not



sustainable in the eyes of law; **and** as a result thereof, the ejection petition filed by the respondent is liable to be dismissed.

2. The only argument raised on behalf of the petitioner is that the Rent Controller had no jurisdiction to decide the Rent Petition as the demised premises fall in the village.

3. No other argument is made on behalf of the petitioner.

4. I have heard learned counsel for the petitioner and perused the case file in great detail.

5. I find no merit in the sole submission advanced on behalf of the petitioner. Record reveals that a lease deed dated 17.10.2011 (Ex.P4) was executed between the parties as per which rate of rent was initially fixed at Rs.1 lakh per year. Lease deed/Ex.P4 was proved through testimony of Sarabjit Singh, Registry Clerk/PW5. The said rent assessed @ Rs.1 lakh per year was not paid by the petitioner since 17.10.2016. As such, on 17.4.2021, the respondent had filed petition under Section 24(3) of Punjab Rent Act, 1995 for issuance of direction to petitioner to handover vacant physical possession of land measuring 4 kanal 0 marla. Vide order dated 25.07.2023, the said petition was allowed **ex parte** with the direction that petitioner will pay Rs.4,50,000/- to respondent within 3 months and handover vacant possession to respondent within 4 months. The said amount was calculated on the basis that rent was due since 17.10.2016 till date of institution of petition i.e. 17.04.2021 viz 4 years 6 months i.e. total Rs.4,50,000/-.



6. Thereafter, vide order dated 23.01.2024 (Annexure P4), warrants of possession were issued for 26.04.2024. As execution had been filed within one year from date of decision so notice to be served to judgment debtor was dispensed with under Order 21 Rule 22 CPC. Vide order dated 10.03.2025 (Annexure P5), judgment debtor/petitioner was proceeded against ex parte and warrants of possession were issued with police help for 05.04.2025 as none appeared on behalf of judgment debtor/petitioner.

7. It is the said orders that have been challenged by the petitioner by way of the present revision petition. The facts noticed above our self-explanatory and are testament to the conduct of the petitioner. It has also been admitted by the petitioner that no appeal has been filed against the order dated 25.07.2023 (Annexure P-1), passed by the Rent Controller. Even no reasons have been given for non-appearance before the learned Courts below - both before the Rent Controller, as also before the learned Executing Court. The only inference that can therefore be drawn is that the petitioner has tried to obfuscate the process of law. As such, I find no ground is made out to interfere in the impugned orders.

8. In view of the above, present petition is **dismissed**.

9. Pending application(s) if any also stand(s) disposed of.

**01.04.2025**  
Sunena

**(Nidhi Gupta)**  
Judge

Whether speaking/reasoned: Yes/No  
Whether reportable: Yes/No