



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WP227 No. 497 of 2023

Sheikh Salim Raja **Versus** Chairman State Bank Of India H.o.

23.06.2023	Mr. Prafull N. Bharat, Sr. Advocate along with Mr. Keshav Dewangan, Counsel for the petitioner. Mr. P. R. Patankar, Counsel for respondents No.1 to 3. Issue notice to the respondents No. 4 & 5, on payment of PF within 3 days. Heard on I.A.No.1 application for grant of Stay. Learned counsel for the petitioner submits that an application under Section 12 of the Rent Control Act, 2011 filed by the petitioner praying for vacating the disputed premises against respondents No.1 to 3. During pendency of that application, respondents No.4 & 5 moved an application impleading them as a party on the ground that they have interest in the property and the petitioner is not the owner of the property, that application was allowed. He further submits that the application could not have been allowed because the Rent Controlling Authority is not competent to decide the issue of title or ownership, the only thing which requires to be determined by RCA is whether the petitioner is the landlord is defined under Section 2(v) Act of 2005 and landlord does not always mean that he is titleholder/owner of the property. Landlord as defined would constitute a person who receive the rent, therefore, impugned order deserves to be stayed. Learned counsel for respondents No.1 to 3 submits that the premises has already been vacated. After hearing learned counsel for the parties, it is directed that the



	proceedings of Case No.3/A-90(3)/18-19 (Sheikh Salim Raja Vs. Chairman State Bank of India and others) pending before Rent Controlling Authority, Jagdalpur, District Bastar, shall remain stayed till the next date of hearing. If PF is not paid within prescribed time, the interim order shall stand vacated. List this case in the week commencing 7th August, 2023. Sd/- (Sachin Singh Rajput) Judge
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Parul

