

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN  
AT JAIPUR BENCH**

S.B. Civil Writ Petition No.738/07

Smt. Shanti Tiwari

**Versus**

Inderjeet & Ors.

**DATE OF ORDER : 31/07/2009**

**HON'BLE MR. JUSTICE AJAY RASTOGI**

Mr. Vijay Dutt, for petitioner

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Instant petition has been filed by petitioner-plaintiff assailing order of Rent Tribunal whereby application filed by him u/s.6 of Rent Control Act, 2001 was allowed on determining rent of Rs.100/- as on 01/01/88 and taking note thereof, computation was made.

Petitioner preferred appeal against the said order on the premise that rent which was determined by Tribunal of Rs.100/- as on 1/1/88 was erroneous and rent should have been Rs.175/- as on 1/9/96 and the finding recorded by Tribunal is perverse. However, Rent Appellate Tribunal disagreed with the submission made by petitioner and affirmed the finding while rejecting appeal preferred vide order Ann.4 dt.20<sup>th</sup> November, 2006.

Counsel for petitioner has tried to convince this court on the basis of plaint and written statement that rent which was ought to be

determined would be Rs.175/- as on 1/9/96. The finding recorded by Tribunal is wholly perverse.

Learned Tribunal taking note of evidence which was recorded during the course of proceedings and so also other material came on record recorded a finding in determining rent which was also considered by Rent Appellate Tribunal and contention of petitioner was rejected under order impugned.

This court has gone through the order impugned and does not find any manifest error committed by court below, which may call for interference.

Consequently, writ petition fails and is hereby dismissed.

**[AJAY RASTOGI], J.**