How to give rent when landlord refuses to take it under Delhi rent control Act?

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**Protection of tenant against eviction has been provided under section 14 of the Rent Act.**

(1) Notwithstanding anything to the contrary contained in any other law or contract, no order or decree for the recovery of possession of any premises shall be made by and court or Controller in favor of the landlord against a tenant:

**Provided**that the Controller may, on an application made to him in the prescribed manner, make an order for the recovery of possession of the premises on one or more of the following grounds only, namely:-

(a) That the tenant has neither paid nor tendered the whole of the arrears of the rent legally recoverable from him within two months of the date on which a landlord in the manner provided in section 106 of the Transfers of Property Act, 1882 (4 of 1882);

(b) That the tenant has, on or after the 9th day of June, 1952, sublet, assigned or otherwise without obtaining the consent in writing of the landlord;

(c) That the tenant has used the premises for purpose other than that for which they were let-

Section [16 of the Delhi Rent Act, 1995 provides:](https://indiankanoon.org/doc/1970360/) Deposit of rent by tenant.

[(1)](https://indiankanoon.org/doc/848801/) Where the landlord does no accept any rent and other charges payable tendered by the tenant within the time and the manner referred to in section 15 or refuses or neglects to deliver a receipt referred to therein or where there is a bona fide doubt as to the person or persons to whom the rent and other charges are payable, the tenant may deposit such rent and other, charges payable with the Rent Authority in the prescribed manner: Provided that in cases where there is a bona fide doubt as to the person or persons to whom the rent and other charges are payable, the tenant may remit such rent and other charges payable to the Rent. Authority by postal money order.

[(2)](https://indiankanoon.org/doc/389544/) The deposit shall be accompanied by an application by the tenant containing the following particulars, namely:-

[(a)](https://indiankanoon.org/doc/542202/) the premises for which the rent and other charges payable are deposited with a description sufficient for identifying the premises;

[(b)](https://indiankanoon.org/doc/746244/) the period for which the rent and other charges payable are deposited;

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[(c)](https://indiankanoon.org/doc/498691/) the name and address of the landlord or the person or persons claiming to be entitled to such rent and other charges payable:

[(d)](https://indiankanoon.org/doc/703402/) the reasons and circumstances for which the application for depositing the rent and other charges payable is made;

[(e)](https://indiankanoon.org/doc/418985/) such other particulars as may be prescribed.

[(3)](https://indiankanoon.org/doc/1577989/) On deposit of the rent and other charges payable being made, the Rent Authority shall send in the prescribed manner a copy of the application to the landlord or the persons claiming to be entitled to the rent and other charges payable with an endorsement of the date of the deposit.

[(4)](https://indiankanoon.org/doc/424854/) if an application is made for the withdrawal of any deposit of rent and other charges payable the Rent Authority shall, if satisfied that the applicant is the person entitled to receive the rent and other charges deposited, order the amount of the rent and other charges to be paid to him in the manner prescribed:

Provided that no order for payment of any deposit of rent and other charges payable shall be made by the Rent Authority under this sub- section without giving all the persons named by the tenant in his application under subsection (2) as claiming to be entitled to payment of such rent and other charges payable an opportunity of being heard and such order shall be without prejudice to the rights of such I persons to receive such rent and other charges payable being decided by a court of competent jurisdiction.

[(5)](https://indiankanoon.org/doc/977803/) If at the time of filing the application under sub- section (4) but not after the expiry of thirty days from receiving the notice of deposit, the landlord or the person or persons claiming to be entitled to the rent and other charges payable complains or complain to the Rent Authority that the statements in the tenant' s application of the reasons and circumstances, which led him to deposit the rent and other charges payable are untrue, the Rent Authority, after giving the tenant an opportunity of being heard, may levy on the tenant a fine which may extend to an amount equal to two months, rent, if the Rent Authority is satisfied that the said statements were materially untrue and may order that a sum out of the line realized be paid to the landlord as compensation.

[(6)](https://indiankanoon.org/doc/1927951/) The Rent Authority may, on the complaint of the tenant and after giving an opportunity to the landlord of being heard, levy on the landlord a fine which may extend to an amount equal to two months' rent, if the Rent Authority is satisfied that the landlord, without any reasonable cause, refused to accept rent and other charges payable though tendered to him within the time referred to in section 15 and may further order that sum of fine realized be paid to the tenant as compensation.

[17.](https://indiankanoon.org/doc/1638049/) Time limit for making deposit and consequences of incorrect particulars in application for deposit.

[(1)](https://indiankanoon.org/doc/31923/) No rent and other charges deposited under section 16 shall be considered to have been validly deposited' tinder that section, unless the deposit is made within twenty- one days of the time referred to in section 15 for payment of the rent and other charges payable.

[(2)](https://indiankanoon.org/doc/1009832/) No such deposit shall be considered to have been validly made, if the tenant wilfully makes any false statement in his application for depositing the rent and other charges payable, unless the landlord has withdrawn the amount deposited before the date of filing an application for the recovery of possession of the premises from the tenant.

[(3)](https://indiankanoon.org/doc/1610537/) If the rent and other charges payable are deposited within the time mentioned in sub- section (1) and do not cease to be a valid deposit for the reasons mentioned in sub- section (2), the deposit shall constitute payment of rent and other charges payable to the landlord, as if the amount deposited had been validly tendered.

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