

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CR No.2268 of 2015
Date of Decision : 1.4.2015**

M/s Kiddies Corner

.....Petitioner

Versus

Shri Guru Singh Sabha

.....Respondent

CORAM:- HON'BLE MR. JUSTICE GURMIT RAM

Present: Mr. Ajay Ghangas, Advocate for the petitioner.

GURMIT RAM, J.

This revision petition is preferred by the petitioner-tenant against the order dated 20.3.2015 (Annexure P-4) vide which his application for appointment of local commission has been declined by the learned Appellate Authority, Faridabad.

2. Brief facts are that petitioner-landlord (respondent herein) filed a petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 (for short – 'the Act') for the ejectment of the respondent-tenant (petitioner herein) from the demised premises which was accepted by the learned Rent Controller and the respondent-tenant(petitioner herein) was directed to hand over the vacant possession of the tenanted premises to the petitioner-landlord(respondent herein) within two months vide order dated 31.1.2014.

3. Feeling aggrieved from the above-said order, the respondent-tenant filed an appeal before the learned Appellate Authority,

Faridabad, which is stated to be pending. During the pendency of this appeal, the petitioner-tenant filed an application for appointment of local commission which was declined by the learned Appellate Authority, Faridabad after hearing the learned counsel for both the parties vide impugned order dated 20.3.2015 (Annexure P-4).

4. Feeling aggrieved from this order, the petitioner-tenant has come up in this instant revision petition. The impugned order is stated to be wrong as well as illegal without considering the facts of the case. It is further contention of learned counsel for the petitioner that the report of local commission is very much essential in order to ascertain the existing position at the spot and has prayed that impugned order be set aside by accepting this revision petition.

5. Admittedly, the respondent-landlord herein is a registered body under the name and style of Shri Guru Singh Sabha. The number of people visiting to any Gurudwara or temple or any other religious place vary from time to time as well as day to day. During certain hours of the day the number of people visiting to any religious place may be more and during certain hours it may be less. Then on certain occasions the number of visitors to any religious place like the case in hand i.e. *Sangrand*, *Amavasya*, *Guru Purnima*, other festivals etc. etc. can be more. Now-a-days it is also a fact that every person is maintaining his own vehicle and as such some premises for parking of their vehicles is also required. Then on such occasions there will be rush of visitors in Joda-Ghar also to put their shoes as well as in the Langer Hall to get food (Parshad). It is not a case in which report of local

commission could be of any help to adjudicate the matter in controversy.

6. In view of the above discussion, this Court is of the considered opinion that there is no infirmity in the impugned order. This revision petition being devoid of any merit stands dismissed and disposed of accordingly.

Nothing observed hereinabove will have any effect on the appeal which is stated to be pending before the learned Appellate Authority, Faridabad.

1.4.2015
Brij

(GURMIT RAM)
JUDGE

1. To be referred to the Reporters or not? No/Yes
2. Whether the judgment should be reported in the Digest? No/Yes