

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

830

Civil Revision No.3471 of 2008

Date of Decision:14.10.2015

Ajay Kumar

....petitioner

Versus

Rattan Chand

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

1.Whether Reporters of local papers may be allowed to see the judgement?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Present: Mr.Rajinder Goyal, Advocate
for the petitioner

Mr.C.B.Goel, Advocate and
Mr.Manoj Sharma, Advocate
for the respondent

ARUN PALLI, J.(ORAL):-

Vide order dated 02.12.2006, rendered by Rent Controller, Narwana, eviction petition preferred by the landlord had since been dismissed. As even the appeal preferred against the said order failed and was dismissed, vide judgment dated 04.03.2008, the landlord is before this Court, vide this revision petition.

Concededly, even earlier ejectment of the respondent-tenant was sought, in an eviction petition preferred by the mother of the petitioner i.e.Ajay Kumar, on account of personal bona fide need of the petitioner. Even in those proceedings, it was maintained that petitioner was unemployed and idle. However, since he did not choose to appear in support of his claim, the said eviction petition was dismissed, and, it was concluded that petitioner Ajay Kumar was indeed not unemployed. Learned counsel for the petitioner fairly

submits that the judgment rendered in those proceedings had since attained finality. And in the eviction petition in question, this was not the case set out by the petitioner that since the dismissal of the earlier eviction petition in the year 1999, he actually was not engaged in any profitable avocation. Rather, he admitted in his cross examination that he had worked in different shops. So much so, the earlier eviction petition preferred by the mother of the petitioner and the judgment rendered by the authorities, rejecting her claim, were not even disclosed in the present petition.

On a due and comprehensive consideration of the matter in issue and the evidence on record, both the Courts concurrently concluded that the plaintiff had failed to prove that he actually required the demised premises for his personal bona fide need.

Learned counsel for the petitioner could not point out as to how the conclusions that were concurrently recorded by both the Courts were either contrary to the position on record or suffered from any material illegality. No other argument was advanced.

That being so, no interference in exercise of revisional jurisdiction under Section 15(6) of the Haryana Urban Control of Rent and Eviction Act, 1973, is warranted. The petition being devoid of merit is accordingly dismissed.

14.10.2015

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**(ARUN PALLI)
JUDGE**