

CR No.2757 of 2014 (O&M)

[1]

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

**CR No.2757 of 2014 (O&M)
Date of decision:12.02.2015**

Suminder Singh

...Petitioner

Versus

Pt. Radhe Sham Sharma

...Respondent

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Ms. Anita Sharma, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner-tenant has been ordered to be evicted from the demised premises i.e. shop, part of house no.2/17, Mohalla No.3, Mool Raj Road, Jalandhar Cantt., by the Rent Controller on 05.10.2012 holding that the respondent is the landlord and the petitioner is in arrears of rent @ ₹1,500/- per month w.e.f. May 2008 along with interest @ 6% per annum. The petitioner was directed to pay the arrears of rent within a period of two months, otherwise the respondent would be entitled to get possession through the process of law.

Both the parties filed their respective appeals against the order of the Rent Controller. The appeal filed by the petitioner was dismissed and the respondent withdrew his appeal.

Counsel for the petitioner, during the course of hearing, has admitted that the possession of the demised premises has already been taken

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by the respondent. On merits, she has argued that the respondent is not the landlord, therefore, the eviction petition was not maintainable.

However, it is not disputed that the rent was collected by the respondent, therefore, a concurrent finding has been recorded by both the Courts below that the respondent is the landlord of the petitioner.

No other point has been raised.

In view of the aforesaid, I do not find any reason to interfere in the concurrent finding of fact recorded by both the Courts below.

Resultantly, the present revision petition is hereby dismissed being denuded of any merit.

February 12, 2015
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(Rakesh Kumar Jain)
Judge