

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 3833 of 2015
Date of Decision: 29.5.2015.**

Jaswinder Singh @ Gopi

.....Petitioner

Versus

Suman and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Article 227 of Constitution of India challenging the orders dated 17.8.2013 (Annexure P-4) and 30.4.2015 (Annexure P-6).

Learned counsel for the petitioner has submitted that the petitioner is in possession of the premises in question as a tenant and the petitioner has been regularly paying the rent to the original landlord who had further sold the property in question to the respondents.

Petitioner has filed suit for permanent injunction. There is no written rent deed executed between the parties. There is no receipt on record qua rent paid by the petitioner. Further, it has been noticed by the Courts below that the mother of the petitioner had earlier filed suit for permanent injunction but the relief of injunction was not granted to her. Petitioner has filed the present suit without disclosing the factum of earlier litigation. In

these circumstances, the Courts below rightly held that there is no *prima facie* case and balance of convenience in favour of the petitioner.

No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

May 29, 2015
Gurpreet