

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5575 of 2014 (O&M)
Date of decision: 24.03.2015

Sohan Singh and another

... Petitioners

versus

Vinkal Sharma and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Jagdish Manchanda, Advocate for the petitioners.

Mr. Surya Kant Gautam, Advocate,
for respondent Nos. 1, 2 and 4.

K.Kannan, J.

The petitioner is a tenant who has admittedly taken the property on rent from the respondent. His status qua the respondent as a tenant cannot also to be denied in view of Section 117 of Evidence Act. The petitioner's claim is that he has purchased a share of the property from one of the co-sharers who has taken the power of attorney from 8 other co-sharers. The purchase of a share or taking the power of attorney of property from co-sharers who are owners or co-sharers is wholly irrelevant to consider the plea of ejectment brought at the instance of the petitioner's landlords who are the respondents. The contention said to be raised by means of amendment was found to be not necessary and correctly so.

There is no scope for intervention.

The petitioner will have independent remedy after surrendering back possession of property, if he is going to set up a contention regarding title and the entitlement to a fractional share of the property from the co-sharers.

With the observations above, the civil revision petition is disposed of.

(K.KANNAN)
JUDGE

24.03.2015
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