

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

**CR No. 6640 of 2013(O&M)
DECIDED ON : August 07, 2015**

Surinder Sood

.....Petitioner

VERSUS

Manoj Talwar

.....Respondent

CORAM : HON'BLE MR. JUSTICE M.M. S. BEDI.

PRESENT:- Mr. O.P. Hoshiarpuri, Advocate for the petitioner.

Mr. Nonish Kumar and
Mr. Bhim Singh, Advocates for the respondent.

M.M.S.BEDI, J.

The defence of the petitioner has been struck off in proceedings of eviction and recovery on the ground that he has failed to pay the rent despite orders passed by this Court.

Counsel for the petitioner has vehemently contended that after 2008, the petitioner has not entered the premises. In support of his contention, he relies upon a letter dated 10.07.2011 (Annexure P-2), written to the petitioner by the management.

A perusal of the said letter indicates that the eviction proceeding is still pending against the petitioner. I am satisfied that the petitioner neither intends to pay the arrears of rent nor he has got intention to do so and under the false excuse that he has not been permitted to enter the premises, he wants to evade the payment of

rent.

In view of the abovesaid circumstances, I do not find any illegality in the impugned order dated 31.08.2013 passed by the Civil Judge(Jr. Division), Gurgaon, striking off the defence of the petitioner by allowing an application under order 15 Rule 5 read with Section 151 C.P.C. filed by the landlord-respondent.

Dismissed.

07.08.2015

Anjal

(M.M. S.BEDI)
JUDGE