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

CR No.6652 of 2014 (O&M)

Date of decision: March 10, 2015

Uma

.....Petitioner

Versus

Gurudayal Kumar Dutta

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Malkeet Singh, Advocate
for the petitioner.

SABINA, J

Respondent had filed petition under Section 13 of the East Punjab Urban Rent Restrictions Act, 1949 ('Act' for short) seeking ejectment of the petitioner from the premises in question on the ground that the petitioner was in arrears of rent and the house was unfit and unsafe for habitation and the petitioner has ceased to occupy the premises in question for the last more than five years. The Rent Controller vide order dated 14.03.2013 allowed the ejectment petition on the ground that the premises in question had become unfit and unsafe for human habitation. The said order was upheld by the Appellate authority vide order dated 13.05.2014. Hence, the present petition.

I have heard learned counsel for the petitioner and have gone through the record available on the file carefully.

A perusal of the judgment passed by the Appellate authority reveals that the petitioner had admitted in her cross-

examination that there were two rooms in the property in question and the roofs of the said rooms had fallen. Although, the petitioner had taken the stand that she was using the property in question to tether the cattle, but no electric connection of the premises in question had been proved on record. Petitioner had admitted that she had not got any water connection in the suit property. In these circumstances, the learned Appellate authority rightly came to the conclusion that there was no human habitation in the premises in question. In these circumstances, the Courts below have rightly ordered the ejectment of the petitioner.

No ground for interference by this Court, is made out.

Dismissed.

**(SABINA)
JUDGE**

March 10, 2015

m.singh