

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 7781 of 2014 (O&M)

Date of decision : February 10, 2015

Pawan Kumar

... Petitioner

vs.

Shree Ram alias Sabha (Registered) and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

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

Surinder Gupta, J

Mr. Suidhir Aggarwal, Advocate has put in appearance on behalf of respondent No.1.

Respondents No.2 to 4 are performa respondents, as such, their service is dispensed with.

Learned counsel for the revision petitioner submits that the revision petitioner has sought copies of following documents from landlord/respondent No.1:-

- (i) Copy of the resolution dated 6.11.2011, passed by the petitioner Sabha.
- (ii) Copy of site plan of the demised shop.
- (iii) Copy of the rent agreement existing between the parties.
- (iv) Copy of constitution of the petitioner Sabha.
- (v) Copy of title deed of the demised land of the shop in question.
- (vi) Any other document/documents to which the petitioner relied upon.

Out of the aforesaid documents, copy of resolution dated 6.11.2011 has already been supplied. Copy of the site plan of the demised premises was not supplied and it was observed in the impugned order that the same has not been relied upon by the respondent. In the petition under Section 13 of East Punjab Urban Rent Restriction Act, 1949, filed by the respondent, there is specific mention in para No.2 that "*the site plan*

depicting the true state affair is attached herewith". This shows that the site plan is a relied document but copy of the same has not been supplied to the revision petitioner along with copy of the petition despite his entitlement to get the copies of documents, which have been relied upon by the petitioner.

Learned counsel for respondent submits that the petitioner has already filed written statement. The documents mentioned at Sr. No.(iii) to (vi) were neither relied, nor relevant, as such, this revision petition has been filed only to delay the matter.

On perusal of copy of the petition produced on file as Ex.P1, I find that the site plan depicting the premises was relied upon and a document which is made part of the petition is required to be supplied to the revision petitioner for his perusal. So far as the other documents mentioned at Sr. No.(iii) to (vi) are concerned, the same have not been relied upon by the revision petitioner and supplying of the copy of these documents is not required as the tenant has no authority to challenge the title of the landlord.

In view of the above discussion, this revision petition is disposed of with the direction that copy of the site plan of demised premises, as mentioned in para no.2 of the application, be supplied to the revision petitioner.

(Surinder Gupta)
Judge

February 10, 2015

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