

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

**CR No.903 of 2014 (O&M)
Date of Decision:19.02.2015**

Pawan Kumar

. . . . Petitioner

Vs.

Raksha Devi

. . . .Respondent

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Rajinder Goyal, Advocate,
for the petitioner.

Mr.Atul Gaur, Advocate,
for the respondent.

RAKESH KUMAR JAIN, J.

The petitioner has been ordered to be evicted by both the Courts below from the shop in dispute, on the ground of ceased to occupy, under the provision of the Haryana Urban (Control of Rent and Eviction) Act, 1973 (for short 'the Act').

Learned counsel for the petitioner has argued that the Courts below have misread the evidence on record especially the report of the Meter Reader but after hearing learned counsel for the parties and going through the orders passed by both the Courts below besides the evidence, as the Lower Court record is also with the Court, I am of the considered opinion that there is no merit in the present revision petition to interfere in the concurrent finding of fact recorded by both the Courts below. The landlord has succeeded in seeking eviction of the petitioner/tenant not only on the ground that there was admittedly any consumption of electricity in the past 10 months before the filing of the eviction petition but also the petitioner has failed to lead documentary

evidence that he had purchased any article for the purpose of sale to run his Kiryana shop.

Thus, the well reasoned orders have been passed by both the Courts below after appreciation of evidence which do not require any interference in the revision petition.

Dismissed.

19.02.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**