

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

CR No. 2415 of 2003 (O&M)
Date of decision: 29.04.2015

Prem Basra	versus	... Petitioner
Kewal Krishan		 Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. B.S. Bali, Advocate for the petitioner.
None for the respondent.

K.Kannan, J.

The petition for eviction filed under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949 was dismissed holding that the landlord did not establish his ownership of the property. The petitioner relied on a payment of rent by the tenant to establish his status as a landlord and also filed documents to show that he was a NRI but as regards the ownership he merely referred to a copy of the Will said to have been executed by his mother, Pritam Kaur, bequeathing the property in his favour. The Rent Controller held that there was no proof that Pritam Kaur was the owner of the property and that he is her son. The Court also found that only the copy of the Will had been filed and the devolution of interest by Will has not been established by proving the Will in the manner noted to law.

I will find no reasons to modify the same. There is no error in the judgment to make intervention in favour of the landlord. I maintain the order and dismiss the petition.

The petitioner shall be at liberty to establish his ownership of what he failed to do in independent proceedings and take action for ejectment on any of the grounds under the Act. The civil revision petition is dismissed but with liberty aforesaid.

29.04.2015
kv

(K.KANNAN)
JUDGE