

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

C.R. No.1029 of 2016

Date of Decision : 11.02.2016

Ashok Kumar

..... Petitioner

Versus

Shree Panchvati Mandir Dharamshala Gaushala Committee

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sudhir Paruthi, Advocate
for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This revision has been filed against the order dated 06.01.2016 passed by the Executing Court rejecting the objections filed by the petitioner under Section 47 CPC.

The respondent represented itself as President of the Committee of Shree Panchvati Mandir Dharamshala Gaushala and filed a petition for eviction of the petitioner on the ground of non-payment of rent. The petitioner appeared but his defense was struck off. Thereafter, the provisional rent was assessed and an opportunity was given to the petitioner to pay the same but the petitioner did not tender the same and then the order of ejectment was passed. In objections the petitioner took the stand that the

respondent was not properly authorized to file the eviction petition. This objection has not been accepted by the Executing Court by holding that the same had to be taken in the eviction petition and he had failed to take this plea at the proper time.

I find myself in agreement with the decision of the Executing Court. Consequently, the revision is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

February 11, 2016

ashish

**(AJAY TEWARI)
JUDGE**