

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R No. 3543 of 2013

Date of decision : February 25, 2016

Gurbax Singh,

..... Petitioner

v.

Balbir Singh Chowdhary

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Jagdish Manchanda, Advocate
for the petitioner.

Mr. Deepak Sharma, Advocate
for the respondent.

1. **Whether Reporters of Local Newspapers 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)

On 30.5.2013, the following order was passed :-

“ The counsel states from the evidence recorded in the vernacular language that the landlord has admitted that the hospital is running in a property donated to the Society and he has himself no ownership over the property in the hospital except that he is a Chairman of the hospital. The requirement of the personal property of which he is the landlord is for expansion of a hospital on which he is not the owner.

Notice of motion for 31.08.2013.

Interim stay.”

Counsel for the respondent states that counsel for the petitioner

misread the part of the cross-examination and infact the landlord had at no

stage said that he had given the property to the society but had clarified that no gift deed had been given and consequently what the landlord had intended to say was that he was using the property for charitable purpose but the ownership thereof continued to remain with him. Counsel for the respondent has further pointed out ever since notice of motion was issued by this Court, the petitioner has not even paid the rent.

Counsel for the petitioner has not denied this fact but states that some time may be granted to the petitioner.

In the circumstances, I see no ground to interfere with the findings arrived at by both the Courts below. Further, I find that the petitioner has retained the demised premises for three years on the partial reading of the cross-examination and, therefore, prayer for grant of time is also declined. Resultantly, finding no merit in this petition the same is dismissed.

February 25, 2016
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(AJAY TEWARI)
JUDGE