

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

CIVIL REVISION NO.4143 OF 2016

DATE OF DECISION: JULY 04, 2016

Sarju Seth

.....Petitioner

VERSUS

Sanjeev Kumar Sharma and another

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

Present: Mr. Vivek Arora, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this petition is to the order dated 24.05.2016, whereby an application moved under Order 7 Rule 11 C.P.C. for placing a copy of the lease deed dated 09.03.2010 on file as also for dismissal of the rent petition on the ground that the Court did not have jurisdiction to hear the case, has been rejected.

It has been stated by learned counsel for the petitioner that even in the rent petition, which has been filed and placed on record as Annexure P-3, no cause of action for initiating such proceedings has been mentioned.

This assertion of counsel for the petitioner cannot be accepted as there are various grounds which have been mentioned in detail in Para 5 of the eviction petition. If the counsel means that it has to be established, the

same would be a question of pleadings and evidence to be led by the parties

and to be determined by the Court thereafter.

The impugned order dated 24.05.2016, as passed by the Rent Controller, Panchkula, is based upon proper appreciation of legal position, according to which there is no estoppel against law and there cannot be any contract, which would be contrary to law. Apart from that, the lapse on the part of the petitioner for moving such an application and the bonafides have also been commented upon, which have been sought to be explained by counsel for the petitioner but whatever explanation he has put forward is not part of the record and, therefore, cannot be accepted. The reasons and the grounds, as have been given in the order dated 24.05.2016 passed by the Rent Controller, Panchkula, being in accordance with law, do not call for any interference.

The revision petition, therefore, stands dismissed.

July 04, 2016
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE