

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

**Civil Revision No.4948 of 2016 (O&M)
Date of Decision: August 04, 2016.**

Gurdev Singh through LR

.....PETITIONER

VERSUS

Harbans Singh

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Sathi, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

1. Heard.
2. Learned counsel for the petitioner-tenant submits that two ejectment petitions filed by respondent-landlord pertaining to part of the same premises i.e. Ist and IInd floor of same building are pending in two separate Courts. The respondent-landlord has taken a common ground in both the petitions that he requires the same for his personal bona fide necessity. Learned District Judge, Bathinda, declined the petition of petitioner for decision of both the petitions by one Court, on the ground that in one case plea seeking ejectment of tenant on the ground of material alterations in the demised premises has been raised.
3. Notice of motion.

4. Mr. Kashish Garg, Advocate, who is present in court, accepts notice on behalf of respondent-caveator.

5. Admittedly, two ejectment petitions have been filed by the respondent-landlord relating to Ist and IInd floor of the same premises. In both ejectment petitions, the respondent-landlord has raised the plea of requirement of the demised premises for his personal bona fide necessity, while in the second petition, an additional plea has also been raised that petitioner-tenant has made material alterations therein.

6. Learned counsel for the respondent-landlord submits that evidence of respondent-landlord, in both the cases, is complete and there will be no purpose of referring both the cases to one Court for decision, at this stage. Learned counsel for the respondent-landlord apprehends that petitioner-tenant will delay the disposal of the petition by taking date to examine the expert in the petition, wherein ground of material alterations has also been raised.

7. Respondent is landlord qua both the portions of the demised premises let out to petitioner-tenant. It will be appropriate and in the interest of justice that both the cases be heard by one Rent Controller to avoid any contradictory findings. Even otherwise, referring of both the cases to one Court will, in no manner, prejudice the interest of respondent-landlord, in any manner.

8. Rent petitions titled as "Harbans Singh vs. Gurdev Singh" bearing rent petition No.11 of 2014 and "Harbans Singh vs. Gurdev Singh and another" bearing rent petition No.12 of 2014 will be entrusted

by District Judge Bathinda to one Court. To allay the apprehension of landlord/respondent, it is ordered that the Rent Controller, to whom both the cases will be entrusted may not consolidate both cases and decide the same separately.

August 04, 2016.
deepak/jv

(SURINDER GUPTA)
JUDGE

Whether speaking/reasons	Yes/No
Whether reportable	Yes/No