

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

**Civil Revision No.5019 of 2016 (O&M)
Date of Decision: August 08, 2016.**

Racchpal Kaur

.....PETITIONER

VERSUS

Krishna Rani and another

.....RESPONDENTS.

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jai Bhagwan, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

1. Heard.
2. Learned counsel for the petitioner submits that petitioner is wife of Atma Singh, against whom ejectment order has been passed by the authorities under the East Punjab Urban Rent Restriction Act, 1946 (hereinafter referred to as 'the Rent Act') and has attained finality. The demised premises were in fact purchased by Atma Singh vide sale deed dated 11th March, 1983 and after purchasing the plot, he raised construction of the house. This plea was raised by the husband-respondent in the reply to the petition filed under Section 13 of the Rent Act and was discarded by the Court, while allowing his ejectment. The petitioner had filed objections in the execution petition claiming herself to be the owner of demised premises. The executing court without

recording the evidence regarding the plea raised by the petitioner-objector, dismissed her objections.

3. Perusal of the order passed by the executing court shows that petitioner-objector could not produce any evidence to prima facie make out her concern or title over the suit property. Even during the course of arguments, learned counsel for the petitioner has fairly conceded that petitioner is not having any documents regarding her title over the suit property, rather, she is living in the house, being the wife of Atma Singh, who has been ordered to be ejected from the demised premises. As the petitioner has neither any *locus standi* nor any plea to raise before the executing court, I find no reason to interfere with the order passed by the executing court.

This revision has no merits.

Dismissed.

August 08, 2016.

deepak/jv

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No