

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

C.R. No.5916 of 2016 (O&M)

Date of Decision.09.09.2016

Harjit Singh

.....Petitioner

Vs.

Labh Singh

.....Respondent

Present: Mr. Ghulam Nabi Malik, Advocate
for the petitioner.

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AMIT RAWAL J. (ORAL)

The petitioner-tenant is aggrieved of the judgment rendered by the Rent Controller whereby he was ordered to be evicted from the disputed premises and the appeal filed against the same has also been dismissed.

Mr. Ghulam Nabi Malik, learned counsel appearing for the petitioner submits that the landlord filed the ejectment petition for the personal necessity of son, who had not appeared in the witness box. If at all there was personal necessity of son, he could have taken the witness stand so that he could be subjected to extensive cross-examination. Having deprived of this right, the ejectment order could not have been passed on personal necessity, thus, urges this Court for setting aside the impugned judgments/orders.

I have heard learned counsel for the petitioner, appraised the paper book and of the view that the aforementioned argument is not sustainable in the eyes of law, in view of the ratio decidendi culled out in the judgment of this Court in **Mohan Lal Aggarwal Vs. Atinder Mohan Khosla 2006(1) RCR (Rent) 220** and in the judgment of Hon'ble Supreme Court in **Pratap Rai Tanwani Vs. Uttam Chand 2004(2) RCR (Rent)**

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The counsel for the petitioner submits that the petitioner may be granted reasonable time to vacate the premises. The Rent Controller had already granted two months time when the rent petition was decided in the year 2014 whereas the appeal has also taken two years time. The tenant had kept occupied the premises for two years even after passing of the ejectment order. In view of the aforementioned, I do not intend to extend the time to vacate the premises.

I do not intend to differ with the judgments/orders passed by the Rent Controller and the lower Appellate Authority as the same are based upon correct appreciation of fact and law. No ground for interference is made out. The civil revision is dismissed.

(AMIT RAWAL)
JUDGE

September 09, 2016
Pankaj*

Whether reasoned/speaking Yes

Whether reportable No