

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

**C.M. NO.20234 CII OF 2013 &
CIVIL REVISION NO.6050 OF 2013
DATE OF DECISION: APRIL 21, 2016**

Ram Parshad

.....Petitioner

VERSUS

Suresh Kumar 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. Ramesh Sharma, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court, assailing the order dated 26.04.2012 passed by the Rent Controller, Kaithal, whereby the petition for ejectment has been allowed on the ground of demised premises having been unfit for human habitation and for material alteration having been made by the petitioner in the name of repair of the shop, appeal against which has also been dismissed by the Appellate Authority, Kaithal, on 15.07.2013.

It is the contention of learned counsel for the petitioner that the findings, as have been recorded by the Courts below, cannot sustain as the same are contrary to evidence led by the parties. He contends that the Courts below have not appreciated the fact that the petitioner is still in possession of the demised premises and nothing has happened despite the petition

having been filed in the year 2009. Assertion has, thus, been made for setting-aside the impugned orders passed by the Rent Controller as also the Appellate Authority.

I have considered the submissions made by learned counsel for the petitioner and with his able assistance have gone through the impugned judgements but do not find myself in a position to accept the arguments as have been raised by the counsel.

The Courts below have passed well reasoned and detailed judgements while considering the pleadings and the evidence brought on record. Even the Local Commissioner, who was appointed in this case, has reported that the building is unsafe and unfit for human habitation, apart from the photographs and other evidence placed on record. The construction, as has been made by the petitioner of a new wall in the shop, has also been proved. The findings as recorded by the Courts below cannot be faulted with.

In view of the above and keeping in view the concurrent findings as recorded by the Courts below, this Court does not find any ground to interfere in the present revision petition. The same, therefore, stands dismissed.

CM No.20234 CII of 2013 for stay is disposed of as infructuous.

April 21, 2016
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE