

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

RA-CR-124-CII-2016 (O&M) in
CR No.969 of 2016
Date of decision: 30.05.2016

Deepak Khosla

.... Applicant

versus

Radha Raman

.... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sunil Garg, Advocate
for the applicant/petitioner.

Mr. Kanwal Goyal, Advocate
for the non-applicant/respondent.

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

Ajay Tewari, J.(Oral)

This is an application for reviewing the order dated 22.04.2016, which was in the following terms:

"This petition has been filed against the order dated 26.11.2015 allowing the petition under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949 and thereby evicting the petitioner from the demised premises.

After arguing for some time, learned counsel for the petitioner, on instructions, states that the petitioner will not press this petition on merits and will vacate the premises voluntarily on or before 31.3.2017 without forcing the respondent to file an execution petition and will continue to pay the rent in advance by the 7th of every month on contractual rate and pay the other admissible charges regularly. He further undertakes to pay upto date arrears of rent, if any, within a period of 15 days from

today.

Learned counsel for the respondent, on instructions, has also accepted this offer on the condition that the petitioner will file an undertaking to the above effect before the Executing Court within 15 days, failing which this petition should be deemed to be dismissed.

Learned counsel for the petitioner has accepted this condition. In the circumstances, this revision petition is disposed of in the above terms."

Thereafter the applicant had appeared in person and had filed the review application claiming therein that even in the application for leave to defend, the applicant-tenant had taken the plea that the respondent-landlord was not the owner of the premises in dispute and as per the Municipal record their vendor's predecessor has also been shown as tenant and even in the sale deed, the predecessor of the vendor of the petitioner has described himself as a tenant 'Mujaharan'. Notice was issued. Reply has been filed wherein it has been alleged that in the sale deed the word used is 'Majharan' which is a word of 'persian descent'. As per the Mahakosh of the Language Department of Punjab Government, the same can be translated into 'self'. It is further pleaded that in this view of the matter, there is no weight in the argument of the learned counsel for the petitioner that the vendor of the predecessor of the respondent had described themselves as tenant.

I find weight in the argument of the counsel for the non-applicant/respondent.

Consequently, the review application stands dismissed.

May 30, 2016
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(AJAY TEWARI)
JUDGE

