

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

**Civil Revision No.1143 of 2017 (O&M)
Decided on : 23.02.2017**

Santosh Devi

... Petitioner

Versus

Bimla Devi and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : None for the petitioner.

Mr. K.S. Dadwal, Advocate
for the caveator/respondents.

G.S. Sandhawalia, J. (Oral)

The present revision petition is directed against the order of the Appellate Authority, whereby the eviction petition was allowed on the ground of bonafide requirement and non-payment of rent.

On 16.02.2017, the following order passed:-

“The Appellate Authority has ordered the ejectment on the ground of non-payment of rent and on account of bonafide necessity and allowed the appeal, since the Rent Controller had dismissed the petition on the ground that the deceased daughter was the landlady.

A finding has been recorded that in view of the earlier litigation between the parties and their conduct, the rent at some point of time was also paid to respondent No.1. It is not disputed and it has come on record that the respondent No.1 and the present petitioner are employees of the Punjab School Education Board and were well known to

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-2-

each other. The respondent No.1 is a aged lady who has a disabled daughter and belongs to Gurdaspur and is wanting the premises for bonafide requirement. She is at the mercy of her two sons and, thus, the findings which have been recorded prima facie seem to be justified. Further it has come on record that the rent has not been paid since around 2007 and she continues to be in the premises without payment of rent.

Faced with this situation, Mr. Minhas prays for time to seek instructions whether the petitioner is willing to file an affidavit and give an undertaking to vacate the premises within a reasonable time or not.

Adjourned to 23.02.2017.”

Today, the case has been called thrice since morning, but counsel for the petitioner has chosen not to put in appearance to give the undertaking or to argue the matter.

In these circumstances, this Court has no other option, but to dismiss the revision petition.

Accordingly, the present revision petition is dismissed for want of prosecution.

FEBRUARY 23, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No