

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

**1. Civil Revision No.1671 of 2017(O&M)
Date of decision: 18.5.2017**

Satpal

...Petitioner

Versus

Trust Smt. Ambo Devi Dharamshala Trust (Regd.) **...Respondent**

2. Civil Revision No.1692 of 2017(O&M)

Satpal

...Petitioner

Versus

Trust Smt. Ambo Devi Dharamshala Trust (Regd.) **...Respondent**

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

Present: Mr. Deepam Raghava, Advocate for
Mr. Sanjiv Kumar Aggarwal, Advocate for the petitioner.
(in both the petitions).

Mr. S.K.S.Bedi, Advocate for the respondent
(in both the petitions).

G.S.SANDHAWALIA, J. (Oral)

In the both the cases, the petitioner-tenant challenges order dated 15.2.2017 whereby in view of the amended written statement having been taken on record on 24.1.2017, issue no.2-A as to “Whether the petition has not been filed by the competent person?OPR” was framed and the onus was put upon the tenant-petitioner.

It is the case of the petitioner that eviction petition has been filed through Trustee of the Trust and the said person was neither Trustee nor competent to file the petition. Therefore, onus should have been placed upon the landlord.

Mr. S.K.S.Bedi, counsel for the respondent submits that he has

Pardeep Kumar
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no objection if the onus is shifted upon the landlord.

Keeping in view the consent given, in both petitions issue no.2-A is recasted as to “Whether the petition has been filed by a competent person?OPP” and onus is shifted upon the landlord.

Accordingly, both the revision petitions are disposed of in aforesaid terms.

Copy of this order be placed on record of connected case file.

May 18, 2017
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No