

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

CR No. 2134 of 2017

Date of decision : 16.05.2017

Tarlok Singh thr. LRs

....Petitioner

V/s

Pt. Jagan Nath Janj Ghar Trust & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Raman Goklaney, Advocate for the petitioner.

RAJAN GUPTA J.

Present revision petition is directed against the order passed by court below rejecting the plea of the tenant-petitioner for restitution of possession of demised premises.

Brief factual matrix of the case is that landlord filed an eviction petition against the petitioner-tenant. Same was allowed by the Rent Controller vide order dated 30.08.2006. Rent Controller inter alia directed that since the demised premises had become unfit and unsafe for human habitation, tenant would vacate the same within three months. Thereafter, landlord would reconstruct the same within four months and handover a part of the premises to the tenant. This order was upheld by lower appellate court till the Apex court. It appears that petitioner failed to vacate the premises within the time granted. Instead, he filed an appeal before the lower appellate court. Same was dismissed on 14.05.2007. Further remedies before the High court and the Hon'ble Supreme court met the same fate. Landlord-respondent, thereafter filed execution application for taking possession of the premises. Same was taken with the help of police. Now

petitioner seeks restitution thereof. I find no ground to interfere in revisional jurisdiction. Tenant has tried to drag the proceedings for a considerable period. Order was way-back in August, 2006. Premises has now been vacated by the help of police. If measured on scales of equity, there is no ground for restitution of possession to the tenant at this stage. Petition is, thus without any merit and is hereby dismissed.

May 16, 2017
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No