

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 10.10.2017****CR No.7040 of 2017**

Mahender Kumar & others ...Petitioners

Vs.

Amar Kumar @ Amar & others ...Respondents

CR No.7041 of 2017

Mahender Kumar & others ...Petitioners

Vs.

Amar Kumar @ Amar & others ...Respondents

CR No.7042 of 2017

Mahender Kumar & others ...Petitioners

Vs.

Amar Kumar @ Amar & others ...Respondents

CR No.7043 of 2017

Mahender Kumar & others ...Petitioners

Vs.

Amar Kumar @ Amar & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Aditya Jain, Advocate, for the petitioner(s).

RAJIV NARAIN RAINA, J. (ORAL)

1. The learned Rent Controller, Ferozepur Jhirka, District Nuh in Haryana has committed no illegality or irregularity while dismissing

applications under Order 1 Rule 10 of the CPC filed by the petitioners, who intended to enter the eviction proceedings against the tenant initiated by six children of late Uggar Sain, which have all been rejected by four separate orders dated 19.08.2017 giving rise to the above captioned revision petitions by Mahender Kumar & others.

2. Admittedly, the petitioners have filed an independent suit for declaration of title to tenanted premises and for permanent injunction as co-owners of the demised premises. In rent jurisprudence, a landlord need not be the owner of the demised property. The landlord is one who is entitled to receive rent from the tenant. Neither can tenant dispute landlord-tenant relationship except to a limited extent when law permits. If landlords have inter se disputes the consequences are grave. The tenant would be left in a quandary as to who rent is to be paid. In case, the suit filed by the applicant/petitioners succeeds and they are declared co-owners of the demised property, they can always seek rendition of accounts etc. from the children of late Uggar Sain, who was none other than the brother of Mahender Kumar, the petitioner applying for being made party unsuccessfully.

3. Consequently, I do not find any merit in these petitions, which are ordered to stand dismissed.

4. It is trite to say that dismissal of these petitions will have no adverse affect on the rights claimed and determined in the civil suit.

10.10.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>