

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

CWP No. 13577 of 2012

Date of decision : 07.10.2017

Kamal Kalia

....Petitioner

V/s

Estate Officer, BBMB, Talwara Township & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Dinesh Kumar, Advocate for the petitioner.

None for the respondents.

RAJAN GUPTA J.

Present petition is directed against the order passed by District Judge, Hoshiarpur exercising the powers of appellate authority under the Public Premises Act. An application was filed by BBMB seeking eviction of the petitioner from the premises in question inter alia on the ground that petitioner had not paid the rent since the year 2000. Besides, he being a government servant was not entitled to occupy the premises and had sublet the same to some other person. The said officer accepted the plea and directed eviction of the petitioner from the premises vide its order dated 05.07.2004. Petitioner preferred an appeal after a delay of 4 years. Same came up before the appellate authority. An application under section 5 for condonation of delay in filing the appeal was considered. It was found that appeal suffered from inordinate delay. Thus, it could not be condoned. Appeal was, thus, dismissed on this ground. I find no ground to interfere in the well reasoned order passed by the authority below. Petition is, thus dismissed.

Learned counsel for the petitioner, however, submits that petitioner shall vacate the premises within four months. In view of undertaking, the execution, if any, be filed after the expiry of this period.

October 07, 2017
Ajay

(RAJAN GUPTA)
JUDGE

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