

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

887

CR No.2835 of 2011 (O&M)

Date of decision: 18.09.2018

Rita Rani

..... Petitioner

Versus

Gurnek Paul Singh through LRs

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. D.S. Gurna, Advocate
for the petitioner.

Mr. Arjun Veer Sharma, Advocate
for the respondent.

ANIL KSHETARPAL, J. (ORAL)

Landlord-petitioner is in the revision petition against the order passed by the learned Rent Controller dismissing his petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949, affirmed in appeal. Although, originally the eviction was sought on three grounds, however, learned Rent Controller noticed that the counsel has suffered a statement that he does not wish to press the petition except on the ground of non-payment of rent and personal necessity.

Learned Rent Controller further found that provisionally the Rent Controller had assessed the rent at Rs.230/- per month with interest and cost, which had been tendered. The Court further found that the landlord failed to prove that the rent assessed provisionally was erroneous.

As regards personal necessity, Sham Lal Sohar has appeared as an attorney

of the petitioner (her daughter) and admitted in cross-examination that prior to her, Jagmohan Singh was the owner of the property. He further admitted that when they purchased the property which consist of 8 shops were on rent and at present also 8 shops are on rent. He further admitted that except the respondent, he did not proceed for ejectment against any other tenant. It was further noticed that Jagmohan Singh filed the cases against two tenants and thereafter, handed over all the documents to the petitioner after sale of the property but the landlady did not pursue the said cases to logical conclusion and compromised with the aforesaid tenants on enhancement on rent.

Keeping in view the aforesaid finding which is not proved to be suffering from any error, this Court does not find any good ground to interfere with the concurrent finding of fact arrived at by the Courts below.

Revision petition is dismissed.

18.09.2018
Dinesh Bansal

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No