

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

**CR-242-2017 (O&M)
Date of Decision:10.09.2018**

Charanjit Kaur

...Petitioner

Versus

Jaskirat Singh and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms.Rimjhim Mahajan, Advocate for
Mr.Sanjeev Pandit, Advocate for the petitioner.
Mr.Munish Gupta, Advocate for respondent No.1.

ANIL KSHETARPAL, J. (ORAL)

The tenant-petitioner is in the revision petition against the order passed by the Rent Controller, ordering his eviction, affirmed in the appeal by the Appellate Authority.

Only point on which this revision petition was pressed is that the landlord is at present in England and he does not wish to come back to India.

Learned counsel for the petitioner, while reading the statement of landlord, wherein he has stated that right now he will have to go back to England, submitted that inference must be drawn by the Court to the effect that landlord is not interested in coming back to India.

On the other hand, learned counsel for the respondent has pointed out that two adjoining shops were purchased and applications for eviction were filed with respect to both shops. The adjoining shop has been vacated by the tenant on 31.3.2019. He has further submitted that the entire case built up by the landlord is to the effect that he wants to come back to India and run his business.

This Court has considered the submissions of learned counsel for the parties and carefully gone through the statement of the landlord, who has appered in the evidence as PW-1.

No doubt, the landlord has disclosed that he is having passport from Portugal but presently he is living in England. However, it is nowhere proved or admitted by the landlord that he does not wish to come back to India. The statement of the witness has been produced only in part. But even reading of the aforesaid part of the statement, which has been extracted in the grounds of revision, it is no where stated by the landlord that he does not wish to come back to India.

Keeping in view the aforesaid facts and circumstances, this Court does not find any ground to interfere. The present civil revision petition is dismissed. Pending application(s), if any, shall also stand disposed of, in terms thereof.

10.09.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No