

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

CR-3079-2018 (O&M)
Date of Decision:-9.5.2018

Sua Ram

... Petitioner

Versus

Darshan Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.R. Dhawan, Advocate for the petitioner.

GURVINDER SINGH GILL, J.

This revision petition is directed against judgment dated 21.3.2018 passed by Appellate Authority, Ferozepur wherein an order of ejectment passed by the Rent Controller, Ferozepur has been upheld and the petitioner had been ordered to be ejected from the demised premises on the ground of personal necessity as well as on the ground of non-payment of rent. The ground of personal necessity set up by the landlord is that he needed the demised premises i.e. the shop so as to enable his sons to start business.

The learned counsel for the petitioner has assailed the said findings by submitting that admittedly one of the son of the landlord was employed in Punjab Water Supply and Sewerage Board. However, it transpires that the said son was working on contract basis and the other son is stated to be running a mobile repair shop in some other premises.

In view of the aforesaid position, it can very safely be said that the landlord indeed requires the premises to enable his sons to start their business from his own shop. Nothing could even be pointed out to assail the findings regarding non-payment of rent. As such, I do not find any ground to interfere with the concurrent findings and the same are hereby upheld. However, the time afforded to the petitioner for vacating the demised premises is enlarged and the petitioner is directed to hand over vacant premises to the landlord by 31.3.2019, subject to payment of arrears of rent, if any, and further payment of up to date rent.

At this stage, the learned counsel for the petitioner has submitted that in fact he has already paid an amount of ₹ 37,700/- towards arrears vide receipt dated 9.10.2017. The said amount, if paid, shall stand adjusted towards the arrears of rent.

The revision petition stands dismissed in above mentioned terms.

9.5.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No