

CR-6434-2012 (O&M)

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

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**CR-6434-2012 (O&M)
Date of Decision : 14.2.2018**

GURDEEP SINGH SANDHU

....PETITIONER

VS

RAJINDER JAIODKA AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Munish Jolly, Advocate
for the petitioner.

Mr. Brijesh Nanda, Advocate
for the respondents.

AJAY TEWARI, J.(Oral)

This petition has been filed against the concurrent judgments of the Courts below allowing the petition filed by the respondents-landlord for evicting the petitioner-tenant.

The primary defence which was taken by the petitioner in the Courts below was that he was not a tenant in the premises in dispute at all but was in occupation of as an intending purchaser. Both the Courts below held that he was not able to prove the assertion that he was in possession of the premises as an intending purchaser and not as a tenant and consequently, held that once he had denied the relationship of tenant and landlord, the petition had to be allowed on that score.

Both the Courts below disbelieved the story that he had

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entered into the oral agreement to purchase the house in question from the respondent and the sale consideration was to be paid in monthly installment of Rs.3500/- per month. Learned counsel for the petitioner has not been able to challenge the finding that the petitioner was not able to prove his contention that he was in occupation of the premises as an intending purchaser in part performance of the contract.

Consequently, no fault can be found with the judgments of the Courts below. The revision petition stands dismissed.

Since the main case has been decided, the pending C.M, if any, also stand disposed of.

14.2.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No