

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1032

CR No.6896 of 2013 (O&M)

Date of decision: 10.08.2018

Vikramjeet Singh and others

..... Petitioners

Versus

Kalyan Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vishal Aggarwal, Advocate
for the petitioners.

ANIL KSHETARPAL, J. (ORAL)

CM-22505-CII-2013

Prayer in the application is for permission to bring on record legal heirs of Amir Singh who died on 20.09.2009 i.e. before filing of the revision petition in this Court. As per Rule 3, Chapter 1-C, Volume 5 of the High Court Rules and Orders, legal heirs of a party which was not impleaded before the Courts below can move an application.

In view thereof, the application is allowed. The legal heirs are ordered to be brought on record and permitted to file the revision petition.

Main Case

Learned counsel for the petitioners-landlord on being pointed out that as per the definition of rented land as provided under Section 2(f) of the East Punjab Urban Rent Restriction Act, 1949, only the land which has been separately let out for the purpose of being used principally for business or trade, the petition under the Act of 1949 was not maintainable,

sought time to assist.

Today, when the case was called, learned counsel for the petitioners admitted that there are no pleadings to the effect that the piece of land which was let out, principally used for business or trade.

Faced with this situation, learned counsel for the petitioners prays for permission to withdraw the revision petition with liberty to take appropriate steps in accordance with law. However, learned counsel prays that the learned Appellate Authority has returned certain findings with regard to ownership which may come in the way of his clients.

The authorities under the Rent Act do not finally decide the question of title and therefore, such findings would not be binding. Still further, the orders passed by the Courts are without jurisdiction.

With these observations, the revision petition is dismissed as withdrawn.

10.08.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No