

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

CR No.7276 of 2017 (O&M)

Date of Decision:12.10.2018

Mohinder Singh

...Appellant

Versus

Ramesh Chand and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Arvind Mittal, Advocate for the appellant.
Mr.Naveen Batra, 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 by the Appellate Authority in appeal.

The tenant has been ordered to be evicted on the ground that he has sublet the premises in favour of respondent No.2. It was pleaded that the shop was given on rent for general merchandise, whereas since 2008, the business of general merchandise has been stopped and respondent No.2 is carrying on tailoring work. When the tenant appeared in the evidence, he admitted that respondent No.2 is his servant who opens the shop and closes the shop and is doing tailoring work from the said shop. However, the tenant took a stand that only part of the premises is being used for tailoring work.

It is not disputed that the tenant has not been produced any evidence including invoices for purchasing of goods or sale thereof for carrying on general merchandise. The tenant-petitioner has produced on file a copy of the photograph which shows that on the counter in front of the

shop, respondent No.2 is doing his stitching work. However, the tenant has failed to produce any evidence to prove that he continues to carry on with his general merchandise business after 2008.

In view of the above, there is no ground to interfere with the concurrent findings of fact. The present civil revision petition is dismissed. Pending application(s), if any, shall also stand disposed of, in terms thereof.

12.10.2018
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No