

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

**CR No.7313 of 2018**

**Date of decision: 25.10.2018**

**Rama Nand Verma**

**.....Petitioner.**

**Vs.**

**Shibani Narang**

**.....Respondent.**

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.**

Present: Mr. K.S. Lakhanpal, Advocate for the petitioner.

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**TEJINDER SINGH DHINDSA, J. (ORAL)**

A petition under Section 13 of the East Punjab Urban Rent Restriction Act, filed by the landlady Shibani Narang seeking eviction of the tenant namely Rama Nand Verma from the demised premises i.e. a shop situated at Main Bazar Near Shambhu Hakim Dawa Khana, Tikhowal Mohalla Mukerian, Tehsil Mukerian, District Hoshiarpur was allowed by the Rent Controller, Mukerian on 12.08.2016 on the ground of 'bona-fide personal necessity'. A finding was also recorded that the tenant is in arrears of rent. It may be noticed that the order of eviction had been passed exparte as the tenant had not joined proceedings in spite of having been served.

The instant revision petition has been filed assailing the order dated 27.09.2018 (Annexure P-6) passed by the executing Court and in terms of which the SHO/concerned police official of Police Station Mukerian has been directed to break the seal of the locks affixed on the demised shop by the JD/tenant.

The sole contention raised by the counsel is that the petitioner/tenant could not join proceedings before the Rent Controller, Mukerian as he was involved in certain criminal cases and having been taken in custody. Further urged that there were two FIRs in which the petitioner has been implicated and ultimately, he had been released on bail only on

02.08.2018.

Counsel further submits that an appeal had been preferred against the ejectment order before the Appellate Authority in which an application for stay has also been moved and vide order dated 26.10.2017 protection had been granted to the petitioner subject to his furnishing the bank guarantee to the tune of an amount which was equal to the arrears of rent within a period of 20 days.

Counsel conceals that the petitioner was duly represented by the counsel before the Appellate Authority. The order dated 26.10.2017 passed by the Appellate Court has neither being complied with nor was put to challenge.

It has been fairly conceded by counsel representing the tenant/petitioner that as of date the petitioner is in arrears of rent for an amount of Rs.14 lakhs approximately i.e. since April, 2014.

Even if the justification as regards petitioner being in custody was to be accepted still the conceded position is that he was released on bail on 02.08.2018. No efforts have been made by the tenant/petitioner to make good arrears of rent or to file an application before the Appellate Authority for extension of time for furnishing the bank guarantee.

In view of this facts and circumstances noticed hereinabove, no basis for interference is warranted at the hands of this Court in exercise of its revisional jurisdiction.

No merits.

Dismissed.

**25.10.2018**  
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**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**