

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

CR No.7862 of 2015 (O&M)  
Date of decision :23.08.2018

Anu @ Anu Rani

...Petitioner

Versus

Surinder Kumar and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Ashok Bhardwaj, Advocate  
for the petitioner.

Mr. APS Guliani, Advocate,  
for respondent No.1.

**ANIL KSHETARPAL, J. (Oral)**

Tenant-petitioner is in the revision petition against the order passed by Rent Controller, Patiala, affirmed by the Appellate Authority.

Apart from other grounds, tenant-petitioner has also been evicted on the ground that he is ceased to occupy the premises for a continuous period of four months before filing the petition. When tenant-petitioner appeared as a witness, she admitted that electricity connection in the shop which is located in a commercial town of Patiala (Punjab) was got disconnected by the owner-landlord, namely, Satpal. She could not produce on file any document to prove that she was running any business therefrom. Although she says that she is running a tea shop but no evidence had been produced to prove that she ever made any purchase of any material either for preparation of the tea or any other food articles which she may be selling from the aforesaid tea shop.

Learned counsel for the petitioner has pointed out that previous petition filed by the landlord was dismissed on 11.11.2006, whereas the present petition was filed on 28.11.2006. Ceased to occupy is a continuous cause of action and the landlord has to prove that the tenant is ceased to occupy for continuous period of four months prior to the date of filing of the petition, therefore, dismissal of the first petition would not of any adverse affect on the present petition.

In these circumstances, this Court does not find any good ground to interfere with the order passed by the Rent Controller, Patiala.

Accordinly, the revision petition is dismissed.

23-08-2018  
*jyoti iii*

(ANIL KSHETARPAL)  
JUDGE

Whether Speaking/reasoned : Yes/No  
Whether Reportable : Yes/No