

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

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Civil Writ Petition No.30622 of 2018
Date of Decision: December 4th, 2018

Anil Kumar

...Petitioner

Versus

Punjabi University, Patiala and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sukhvir Singh Tiwana, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the order dated 25.09.2018 (Annexure P-9) passed by the Collector, District Patiala, exercising the powers of the Commissioner under the Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973, and the order dated 31.10.2017 (P7) passed by the Collector, Sub Division Patiala, whereby the application preferred by the respondent-University was allowed and the petitioner was held to be in illegal and unauthorised possession of the property in question and, therefore, eviction order was passed with a further finding that the amount of ₹6,06,380/- was pending against the petitioner till March 2017 as due rent, which could be recovered along with interest at the rate of 6%.

2. It is the contention of learned counsel for the petitioner that the predecessor-in-interest of the petitioner was allotted a shop on rent at the rate of ₹250/- per month. Thereafter the same was enhanced to ₹275/- per month. The said amount was finally assessed by the Civil Court also. He further contends that the respondents having failed till High Court, the petitioner was not bound to give more than what has been held to be the

submitted by the respondents, is not in accordance with the said claim and the entitlement, rather it is much more than what the petitioner would have been entitled to pay. He further contends that the order passed by the authorities below is unsustainable and deserves to be set aside.

3. I have considered the submissions made by the counsel for the petitioner and with his assistance, have gone through the records of the case and the impugned orders but do not find myself in agreement with the contention of the counsel for the petitioner.

4. As is apparent from the impugned order dated 31.10.2017 (Annexure P-7) passed by the Collector, Sub Division Patiala, petitioner was required to deposit an amount of ₹6,06,380/-, out of which only an amount of ₹96,075/- was deposited. ₹5,46,739/- was still pending till March 2017. Because of non-deposit of the said amount, petitioner was, therefore, bound to have been evicted as the time granted for deposit of the same has expired.

5. In the light of the above, this Court does not find any illegality in the orders passed by the authorities below, which have been impugned herein, which would call for exercising its extraordinary writ jurisdiction in the case.

6. The present writ petition being devoid of merit, therefore, stands dismissed.

December 4th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No