

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.4096-2019 (O&M)
DATE OF DECISION: 05.07.2019

AMANDEEP SINGH

...PETITIONER..

VERSUS

MONIKA CHOPRA AND ANR.

...RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Mandeep Singh Sachdev, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this revision under Article 227 of the Constitution of India, challenge has been laid to order dated 08.05.2019 (P-1) of the trial court, whereby, application of the petitioner to lead additional evidence has been dismissed.

Briefly, respondents No.1 filed eviction petition against the petitioner and proforma respondent under Section 13 of East Punjab urban Rent Restriction Act (for short, "Act"), to evict them from a shop situated in the locality of Phagwara Gate, Jalandhar City.

The petitioner and proforma respondent after closure of their evidence, moved an application for leading additional evidence to show that civil litigation qua title of the demised shop was pending amongst

respondent No.1 and other landlords by tendering certified copies of Regular Second Appeal bearing No.4244 OF 2018 (o&m) and interlocutory orders passed therein. Respondent No.1 contested the said petition pleading that initially the demised property were purchased by Col.Veeranmol Singh and Major Haranmol Singh and thereafter, sold the same to respondent No.1 vide two different sale deeds dated 04.05.2015 and 25.05.2015.

Learned counsel contends that production of grounds of Regular Second Appeal and interlocutory orders of the High Court is necessary for effective adjudication of the eviction petition against him. In case, respondent No.1 loses her title over the demised property, in that eventuality, her eviction petition would not be maintainable. In support of his contention, he has placed relied upon judgment of this Court passed in CR No.2047 1999, titled as **"Phool Chand Jain vs. Smt. Jotri Devi Jain"**, decided on 18.07.2001.

Having given thoughtful consideration to the submission, this Court finds instant petition completely devoid of any merit for the reason to follow:-

As on date, there is no litigation against the respondent-landlord pending before any court. Inter-se litigation pending between the sellers has no relevancy to the eviction petition.

In the given facts and circumstances, the authority relied upon by learned counsel for the petitioner, altogether on different issues and distinguishable on facts of the present case, is of no help to

him.

Dismissed.

05.07.2019

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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No