

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

**CR-6357-2019 (O&M)
Date of Decision : 08.11.2019**

Harjit Singh

..... Petitioner

Versus

Paramjit Kaur

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

Present : Mr. Tejinder Pal Singh, Advocate
for the petitioner.

RAMENDRA JAIN, J. (Oral)

Through this revision, petitioner-tenant has laid challenge to the judgment dated 04.09.2019 of the Appellate Authority, dismissing his appeal, thereby affirming the judgment dated 17.05.2017 of the Rent Controller, whereby in a petition, filed by respondent, under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short 'the Act'), the petitioner was ordered to be evicted from the demised shop with directions to hand over the vacant possession within a period of two months.

Learned counsel for the petitioner referring to the cross-examination of respondent, urged that both the authorities below failed to appreciate that respondent-landlady had already two shops available with her for running her alleged boutique. The landlady, as of now, is around 65 years of age and, thus, her plea that she wants to run a boutique was apparently false.

Having given thoughtful consideration, this court finds the instant revision merits dismissal for the reasons to follow.

The petitioner cannot be permitted to take benefit of any insignificant statement of respondent-landlady in view of his own admission that respondent-landlady has no vacant shop to do her business of boutique.

This Court, while exercising its revisional powers has very limited jurisdiction, which can only be exercised, (i) when the Courts below have acted beyond jurisdiction vested in them or (ii) have not exercised the same diligently and (iii) have exercised illegally.

Learned counsel for the petitioner has not been able to show any such infirmities in the judgments of both the Courts below.

I have gone through judgments of both the authorities below and find no illegality or perversity in the same, being completely based on appreciation of evidence on the file.

Dismissed.

The petitioner is directed to hand over the vacant possession of the demised shop within 15 days, failing which he shall pay Rs.30,000/- per month towards mesne profits.

(RAMENDRA JAIN)
JUDGE

08.11.2019
mamta

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No