

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

CR-5172-2015(O&M)

Date of decision: 06.02.2020

Harbans Lal

.....Petitioner

Versus

Jaspal Singh (deceased) through his LRs

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Onkar Rai, Advocate for
Mr. Harpreet Savra, Advocate for the petitioner

Mr.K.S.Dadwal, Advocate for respondent

ANIL KSHETARPAL, J. (ORAL)

Learned Appellate Authority after noticing that the landlord had filed a petition for bona fide personal requirement of the tenanted premises by concealing availability of other commercial properties (shops), accepted the appeal and reversed the order of eviction.

The petitioner-landlord filed a petition asserting that he is in need of the shop as also the adjoining shop which is in occupation of Prem Chand, as he wants to run a provision store. In the written statement, the tenant pointed out that landlord is owner of all three shops out of which one shop is in his possession whereas two other shops are in possession of the tenants. Still further, when the landlord appeared in evidence and filed his affidavit in examination-in-chief. He had stated that he required the tenanted premises as also the premises in occupation of Prem Chand, another tenant to run the business of provision store. In cross-examination, for the first

time, he admitted that he is owner of three shops.

Keeping in view the aforesaid facts, this Court does not find it appropriate to interfere with the order of the Appellate Authority.

Hence, dismissed.

06.02.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No