

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

**CR-No. 1612 of 2020 (O&M)
Decided on 05.03.2020**

SARABJEET SINGH

.....Petitioner

V/S

CHARANJIT SINGH

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Arora, Advocate for the appellant.

ANIL KSHETARPAL, J. (Oral)

The tenant-petitioner has filed the present revision petition against the order of eviction passed by the learned Rent Controller, affirmed in appeal by the Appellate Authority. The eviction of the tenancy was sought on the ground of bona fide necessity, apart from the fact that other landlord has successfully established bona fide requirement of the premises.

It may be noticed here that in the present case, the tenant did not appear before the Rent Controller and was proceeded against *ex parte* and the order was passed in absence of the petitioner-tenant.

Before the Appellate Authority, the tenant- petitioner had contended that East Punjab Urban Restriction Act, 1949 has been

repealed and, therefore, the petition under the Punjab Rent Act, 1995

should have been filed.

Learned Appellate Authority after considering the various aspects of the case, has found that the grounds of eviction available under the Old Act and the New Act are paramateria as far as the grounds on which the eviction has been sought in the present case. Thus, the Court has held that no prejudice has been caused to the tenant.

Learned counsel for the petitioner has also reiterated the aforesaid submission. It is not in dispute that as per the Punjab Rent Act, 1995, the landlord has the right to seek eviction of a tenant on his bona fide requirement. In this regard, reference can be made to Section 20 of the Punjab Rent Act.

In view thereof, this Court does not find any ground to interfere.

Accordingly, the present petition is dismissed.

All the pending miscellaneous applications, if any, are disposed of in view of the abovesaid judgment.

(ANIL KSHETARPAL)
JUDGE

05.03.2020
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Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No