

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

119

CR-1813-2020 (O&M)

DATE OF DECISION: 18.03.2020

SURJIT SINGH DECEASED THROUGH LR ... Petitioner (s)

Versus

JARNAIL SINGH ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ranjit Sharma, Advocate
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 03.03.2020 (Annexure P-7) whereby his objections have been dismissed by the executing Court.

Learned counsel for the petitioner contends that the respondent was not owner of the property and this fact came to the knowledge of the petitioner in the year 2018.

Heard.

The respondent-landlord had filed a petition for eviction of the petitioner-tenant from the premises which was allowed by the Rent Controller on 15.04.2014. The revision petition preferred by the petitioner thereagainst was dismissed on 02.06.2017. The SLP (Civil) bearing No.36365 of 2017 was also dismissed on 21.02.2019.

The petitioner is stated to have been leased out the demised premises in the year 1980. The rent was being paid by the petitioner to the respondent and he had not raised the dispute about ownership of the landlord

at any stage in the eviction proceedings initiated by the respondent-landlord. It is not open for a tenant who is paying rent to the landlord to turn around and challenge his ownership over the demised premises in the execution proceedings.

Consequently, I do not find any merit in this petition which stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

18.03.2020.
SwarnjitS

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