

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

**CR-1017-2014 (O&M)**

Date of decision: 26.07.2022

Parbodh Chander

....Petitioner

Versus

Brij Mohan (deceased) through his LR's and another

..Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:     Mr. Surinder Singh, Advocate for the petitioner  
               Mr. Vipin Mahajan, Advocate for respondent no.1.

**ANIL KSHETARPAL, J (Oral)**

The petitioner is a tenant, who has been ordered to be evicted by the Rent Controller as well as the Appellate Authority, on the ground that the building has become unfit and unsafe for human habitation.

Both the courts have found that the building is in a dilapidated condition and outlived its life. A portion of the same building has already collapsed.

When landlord Brij Mohan appeared in evidence, learned counsel representing the tenant did not challenge the correctness of his statement in cross-examination. AW8 Krishan Gopal has also stated that roof of the rear portion of the building has already fallen down. Before the appellate authority, an application filed by the petitioner for permission to lead additional evidence remained undecided. The petitioner wishes to produce the cross-examination of Brij Mohan, landlord in the application for permission to repair the shop.

This Court with the able assistance of the learned counsel

representing the petitioner, has read the deposition of Brij Mohan-landlord. Learned counsel has failed to impeach the credibility of the statement made in examination in chief. He admits that the construction of the building is with Nanak Shahi bricks, which went out of usage atleast 60-70 years ago. The roof of the building is of wooden battens whereas its floor is of bricks. Furthermore, Hon'ble Supreme Court in **Hindustan Petroleum Corporation Ltd. vs. Dilbahar Singh (2014) 9 SCC 78** has held that scope of revisional jurisdiction is limited.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

26.07.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)**  
**JUDGE**