

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

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CR-2851-2015(O&M)
Date of decision: 09.08.2022

NARESH KUMAR

..Petitioner

Versus

GURJINDER SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Divanshu Jain, Advocate
for the petitioner.

Mr. Nitish Garg, Advocate
for respondent

ANIL KSHETARPAL, J(Oral)

The tenant assails the correctness of orders of eviction passed by the Rent Controller as well as the Appellate Authority. He has already handed over the possession to the landlord for the last seven years pursuant to eviction orders passed by the authorities. He has been ordered to be evicted on the ground of bonafide personal necessity of the landlord who has lost his job.

This Bench has heard the learned counsel representing the parties and with their able assistance perused the paperbook.

The learned counsel representing the petitioner contends that the petition filed by the landlord was not maintainable as he failed to plead the necessary ingredients of Section 13(3)(a) of the East Punjab Urban Rent Restriction Act, 1949. Both the parties have examined the aforesaid matter. The petitioner never objected to the maintainability of the petition while filing his reply. Moreover, when the landlord appeared in evidence, he disclosed all the ingredients and the tenant failed to show any prejudice caused to him.

This matter has been examined in detailed in **Harish Chander Vs. Vinod Kumar, 2018(4) Law Herald 2911** and **Sham Lal Vs. Asha Rani and others, 2018(4) Law Herald 2895.**

In view thereof, no ground to interfere is made out.

Dismissed.

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

August 09th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>