

**115-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-559-2018 (O&M)

Date of decision: 23.11.2022

Gopal Singh

....Petitioner

Versus

Rattan Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gurmohan Singh Bedi, Advocate for the petitioner

Mr. Vijay Lath, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

1. The petitioner herein is a tenant in the premises owned by the respondent. His eviction has been ordered by the Rent Controller as well as the Appellate Authority. This revision petition has been filed challenging the orders passed by the Rent Controller as well as the Appellate Authority.

2. Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

3. Learned counsel representing the petitioner submits that as per the case of the respondent, three shops fell in his share in a family settlement and the respondent, while appearing in evidence, admits that one shop amongst the three shops is still lying vacant. He submits that while filing the eviction petition, the respondent has concealed the material facts.

4. This Court has carefully read the cross-examination of the landlord (respondent herein). Though, he admits that he is in possession

of only one shop, however, no suggestion was given to him regarding the suitability of the vacant shop for the bonafide requirement. The landlord has stated that he has two sons and he wants to settle his son, Sh.Gurpreet Singh, who is in the business of running cabs. He wants to open an office for Sh.Gurpreet Singh. If the petitioner wanted to challenge this fact, he was required to either produce evidence or cross-examine the landlord on all aspects of the matter, so as to seek his explanation with regard to suitability i.e his bonafide requirement. Moreover, in **Hindustan Petroleum Corporation Limited vs. Dilbahar Singh 2014 (9) SCC 78**, the Supreme Court has held that the scope of revisional jurisdiction is narrow and the High Court while exercising its revisional jurisdiction is not expected to re-appreciate the evidence. Hence, no ground to interfere is made out.

5. Dismissed.

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

23.11.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE