

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

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**1. CR-6030-2017(O&M)
Date of Order: 05.04.2022**

RAVINDER KUMAR (SINCE DECEASED) THROUGH LRS

..Petitioner

Versus

BRIJ BHUSHAN GUPTA

..Respondent

2. CR-7746-2017(O&M)

ANMOL SINGLA

..Petitioner

Versus

BRIJ BHUSHAN GUPTA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. R.S. Randhawa, Advocate
for the petitioner (in CR-6030-2017)**

**Mr. R.M. Sharma, Advocate
for the petitioner (in CR-7746-2017)**

**Mr. Ashok Gupta, Advocate
for respondent.**

ANIL KSHETARPAL, J(Oral)

These connected revision petitions have been filed by two different tenants assailing the correctness of the concurrent orders passed by the Rent Controller as well as the Appellate Authority. The landlord sought the eviction of the petitioners on the ground of bona fide necessity of his son who is running the business of paint and hardware in the adjoining shop. It has been asserted that the said shop in possession of the landord's son, is insufficient for his requirement.

The tenants contested the petition on various grounds. Both the

authorities have already ordered their eviction.

The learned counsel representing the petitioner contends that the landlord is guilty of concealment of material facts as he has not disclosed that he is the owner of four shops. On the repeated requests of the learned counsel representing the petitioner is insisted that there is a requirement to disclose all the properties owned by the landlord. The learned counsel representing the petitioner was handed over a copy of the Act. The present petition has been filed under Section 13 of the East Punjab Urban Rent Restriction Act, 1949.

The learned counsel representing the petitioner further contends that the landlord did not disclose the factory premises as well as other shops carved out by the landlord. As per the provisions of the Act, the landlord is required to disclose that:-

1. He requires the premises;
2. He is not occupying any other building in the urban area concerned, and;
3. He has not vacated such a building without sufficient cause after the commencement of the Act in such urban area.

It is evident from the reading of the para 4 of the petition filed by the landlord that he has disclosed all the four shops owned by him. Further, details of all the properties have already been brought on record and examined by both the authorities below. The learned counsel failed to draw the attention of the Court to any substantive error.

In *M/s Hindustan Petroleum Corporation Ltd. Vs. Dilbahar*

Singh, 2014(9) SCC 78, it has been held that the scope of revisional jurisdiction is narrow and the High Court while exercising the revisional jurisdiction is not expected to re-appreciate the evidence.

Hence, both the petitions are dismissed.

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

April 05th, 2022

Ay

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No