

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 542 of 2022

Date of Decision: 18.02.2022

Kirpal Singh

... Petitioner(s)

Versus

Jaswinder Pal Singh and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Lakhinder Bir Singh, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. The petitioner herein is a tenant, who has been ordered to be evicted by the Rent Controller as well as the Appellate Authority. The eviction of the petitioner was sought on the ground of non-payment of rent, bonafide requirement by his married son and daughter-in-law and on account of an unauthorized additions and alterations made in the tenanted premises by the tenant. The Rent Controller found that the petitioner has not paid the rent. Both the Courts below further found that the bonafide requirement of the landlord is genuine as he was unable to have cordial relations with his daughter-in-law, therefore, the landlord wanted to settle his son's family in the tenanted premises.

2. Heard the learned counsel representing the petitioner and with his able assistance, perused the paper-book.

3. The learned counsel representing the petitioner contends that the rented premises is constructed on a public property, therefore, the

petition was not maintainable. It would be noted here that the petitioner does not dispute the relationship of the landlord and the tenant. It is also not in dispute that the petitioner was inducted by the respondent in the tenanted premises. Such being an admitted position, before the petitioner surrenders possession to the landlord, he is debarred for challenging the title of his landlord.

4. The next argument of the learned counsel representing the petitioner is based on the alleged agreement to sell executed by the respondent No.1 in favour of the petitioner. It would be noted here that the civil suit, filed by the petitioner for specific performance of the agreement to sell, has already been dismissed.

5. In view of the above, no ground is made out to interfere. Consequently, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

February 18, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No