

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CR-2611 of 2019(O&M)
Date of Order: 11.05.2022

Sher Singh alias Sher Mohd.

..Petitioner

Versus

Kanta Sethi

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Narinder Sharma, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner has been ordered to be evicted on the ground that he has failed to pay the provisional rent in view of the judgment passed by the Supreme Court in **Rakesh Wadhawan and others vs. M/s Jagdamba Industrial Corporation and others, AIR 2006 SC 2004.**

Even the first appeal filed by the petitioner has been dismissed.

The learned counsel representing the petitioner contends that he never engaged Sh. Rakesh Gupta, Advocate and there is no Power of Attorney in favour of Sh. Rakesh Gupta. In para 13 of the judgment passed by the Appellate Authority, the Court has noticed that on behalf of the tenant, a vakalatnama has been filed in which name of three different counsels, namely, Sh. Rakesh Gupta, Sh. Sagir Ahmed and Sh. M.S.Gorsi, is printed. The Court has taken a view that merely because Sh. Rakesh Gupta has not signed the vakalatnama, it is not sufficient to hold that the petitioner never engaged him as a counsel in his case.

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

Dismissed.

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

May 11, 2022

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No