

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

**144**

**CR-733-2022(O&M)  
Date of Order:28.03.2022**

**MANOJ KUMAR**

**..Petitioner**

**Versus**

**GURUDWARA RATTGARH SAHAB (REGISTERED)  
NARAINGARH THROUGH ITS AUTHORIZED  
REPRESENTATIVES**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. R.P. Singh Ahluwalia, Advocate  
for the petitioner.

**ANIL KSHETARPAL, J(Oral)**

The petitioner is a tenant. He has been ordered to be evicted by the Rent Controller. The aforesaid order of eviction has been affirmed by the Appellate Authority.

The respondent-Gurudwara Rattgarh Sahab sought eviction of the petitioner from Shop No.2, on the ground that the space available with the Gurudwara is insufficient to accommodate devotees and the Gurudwara after demolishing the shops wants to utilize the area for construction of a room for keeping the shoes, a washroom, kitchen, office and a dispensary. The petitioner contested the petition alleging that the Gurudwara has a sufficient space.

As already noticed on appreciation of evidence, both the authorities have found merit in the case of the respondents.

This Bench has heard the learned counsel representing the petitioner at length and with his able assistance perused the paperbook.

The learned counsel representing the petitioner contends that the Appellate Authority erred in dismissing an application for permission to lead additional evidence.

On a Court question, he submits that in additional evidence the petitioner wishes to produce a record of order passed by the High Court granting status quo in **Regular Second Appeal No.148 of 2002, titled as “Ram Chander Vs. Municipal Committee Naraingarh”**. He admits that the aforesaid litigation is pending between the Gurudwara Sahab and the Municipal Committee. He submits that the Municipal Committee claims the ownership over the property in dispute.

It is evident that the petitioner does not dispute the relationship of the landlord and tenant. The shops were constructed by the Gurudwara Sahab and let out to the petitioner.

In such circumstances, the additional evidence sought to be produced, even if permitted, will not advance the case of the petitioner.

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.

**March 28<sup>th</sup>, 2022**

Ay

**(ANIL KSHETARPAL)**  
**JUDGE**

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