

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

Sr. No.115

CR No.948 of 2022

Date of decision: 17.03.2022

Amarjit Singh @ Bittu and others

..Petitioners

Versus

Manmeet Singh and others

..Respondents

(Heard through Video-Conferencing)

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Amit Puri, Advocate
for the revisionists-petitioners.

MEENAKSHI I. MEHTA J

Feeling aggrieved by the order dated 08.02.2022 as passed by the Rent Controller, Patiala, whereby the application moved by the revisionists-petitioners (arrayed as respondents No.1 to 3 in the eviction petition) under Order 7 Rules 11 and 14 read with Section 151 CPC for seeking rejection of the said petition preferred by respondent No.1-Landlord against them, has been dismissed, they have chosen to prefer the instant revision petition to assail the same.

I have heard learned counsel for the revisionists-petitioners (for short 'the petitioners') in this revision petition and have perused the record carefully.

Learned counsel for the petitioners contends that the property in question consists of three separate shops but respondent No.1-Landlord has preferred one ejectment petition in respect thereof and

moreover, respondent No.1 happens to be only a co-owner of the said property whereas all the co-owners should have joined hands to file the said eviction petition and therefore, the petition was liable to be rejected on these scores.

However, the afore-raised contentions are devoid of any merit because a perusal of Annexure P-1, i.e the copy of the eviction petition preferred by respondent No.1-Landlord, reveals that in para No.5 therein, he has specifically averred that the said three shops form one unit of the property and one/single business is being run in the same and it is well settled that for the purpose of deciding the application for seeking rejection of the plaint/petition, only the averments as canvassed in the same are to be looked into and considered. Moreover, it is also a long settled legal proposition that even one of the co-owners of a property can file the eviction petition against the tenants. Learned counsel for the petitioner has not been able to refer to any legal provisions or to cite any case law to show to the contrary.

As a sequel to the fore-going discussion, it follows that there is no illegality, perversity, infirmity or irregularity in the impugned order so as to warrant any interference of this Court.

Resultantly, the revision petition in hand, being *sans* any merit, stands dismissed.

17.03.2022
pooja

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No