

**120IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-2133-2019 (O&M)

Date of decision: 16.05.2022

Rakesh Kumar

....Petitioner

Versus

Raj Rani

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gagandeep Singh Sirphikhi, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

While assailing the concurrent findings of fact arrived at by the authorities, the petitioner (tenant) has filed the present revision petition. The petitioner has been ordered to be evicted by the Rent Controller as well as by the appellate authority while exercising the powers under Section 13 of the East Punjab Urban Rent Restriction Act, 1949. Both the authorities have also found that the landlady requires the premises for herself as well as for her brother-in-law. Landlady is a widow and she wants to work alongwith brother of her husband.

Learned counsel representing the petitioner contends that the landlady did not appear in evidence, therefore, the authorities have erred in ordering his eviction. On reading of the judgments passed by the authorities below, it is evident that Satpal, brother-in-law of the landlady, has appeared as AW2. It is the case of the landlady that she requires the shop for her as well as the use of her brother-in-law, Satpal. Once Satpal has appeared and cross-examined at length, ejectment petition could not have been dismissed on the ground of non-appearance

of the landlady.

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

Hence, dismissed.

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

16.05.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE