In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 2139 of 2022 (O&M)

Date of Decision: 01.08.2022

Moti Ram (Now Deceased) through his legal representatives

... Petitioner(s)

Versus

Manjit Kaur and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Ramandeep Singh Pandher, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

CM-9163-CII-2022

1. In view of the prayer made in the application, which is supported by an affidavit, the same is allowed, subject to all the just exceptions. The proposed legal representatives, named in para 2 of the application, are the Class-I heirs of petitioner-Moti Ram, who is stated to have died on 02.12.2021. They are permitted to be brought on record as the legal heirs of the petitioner-Moti Ram, for the purpose of prosecuting the appeal.

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2. The petitioner is a tenant. He has been ordered to be evicted vide order dated 02.01.2015. The objection petition, filed by the petitioner in the execution petition, has been dismissed by the learned Rent Controller as well as the Appellate Authority.

3. In substance, the petitioner claims that he has purchased a part

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of the property from Smt.Gurpreet Kaur vide sale deed dated 18.09.2014. The petitioner claims that the eviction order cannot be enforced as he has become owner of the property in dispute. The argument of the learned counsel representing the petitioner is without any substance.

4. As per Section 111(d) of the Transfer of Property Act, 1882, the determination of the lease of immovable property takes place only if the whole of the property becomes vested at the same time in one person in the same right. Admittedly, the petitioner has purchased only a part of the property.

5. Keeping in view the aforesaid facts, no ground is made out to interfere. Hence, the present revision petition is dismissed. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

August 01, 2022
"DK"

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

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