

115-1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1.CR-3861-2019 (O&M)

Upinder Singh
....Petitioner

Versus

M/s Thakur Pan Bhandar and others
..Respondents

2.CR-3923-2019 (O&M)

Upinder Singh
....Petitioner

Versus

M/s Raj Collection and others
..Respondents

3.CR-4383-2019 (O&M)

Upinder Singh
....Petitioner

Versus

M/s Ajay Sanitary and others
..Respondents

4.CR-3930-2019 (O&M)

Upinder Singh
....Petitioner

Versus

M/s Diamond Music Centre and others
..Respondents

5.CR-3928-2019 (O&M)

Upinder Singh
....Petitioner

Versus

M/s Raj Collection and others
..Respondents

Date of decision: 26.07.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Gautam, Advocate for the petitioner

Mr. Yadwinder Singh, Advocate for respondent
no. 4 and 5 in CR-3861-2019

ANIL KSHETARPAL, J (Oral)

By this order, five civil revision petitions, i.e CR-3861, 3923, 4383, 3930 and 3928 of 2019 shall stand disposed of.

Proceedings under Section 13 of the East Urban Punjab Rent Restriction Act, 1949, to eject the tenants from the tenanted premises, are pending. During their pendency, applications for impleadment filed by the various co-owners of the property, have been allowed on the ground that they are also interested parties, having ownership in the tenanted property. In an eviction petition, the Rent Controller is required to examine as to whether there is a relationship of landlord and tenant between the concerned parties and whether the tenant is liable to be ejected. Inter se dispute between the various owners is not required to be adjudicated upon in an eviction petition. The Rent Controller is a Tribunal of limited jurisdiction. If there is any inter se dispute between the owners, the remedy is to file a civil suit.

Learned counsel representing the respondents submits that Sh. Hardip Singh, one of the co-owners, has also filed separate eviction petition against the tenants. If that is so, he may file an application for transfer of the proceedings to the same Rent Tribunal so that the matters can be decided together. However, the co-owners cannot be impleaded

as respondents.

Consequently, the orders under challenge are set aside and the revision petitions are allowed.

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

26.07.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE