

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 114

Civil Revision No.3456 of 2022 (O & M)

Date of Decision: *September 01, 2022*

Vijay Kumar Seth

..... PETITIONER(S)

VERSUS

Charanjit Singh

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. R.K. Dogra, Advocate, for the petitioner.

Ms. Ekta Thakur, Advocate, for the respondent –
Caveator.

. . .

Tribhuvan Dahiya, J (Oral)

CM No.10636-CII of 2022

Application for seeking exemption from filing certified copies of Annexure P-1 to P-6 and for filing typed copies of the same, is allowed.

CR No.3456 of 2022

The instant petition has been filed under Article 227 of the Constitution of India for setting aside order dated 25.07.2022 (Annexure P-5) whereby petitioner/tenant's application for appointment of local commissioner to make local investigation of House No.1113, Sector 15B, Chandigarh, has been declined.

The Rent Controller declined the application by observing in the impugned order that the petitioner could have examined any witness of the locality to show that the respondent/ landlord was running a PG (paying

guest) facility in the aforesaid house. It is an admitted fact that the petitioner/tenant is also residing in the said premises and, therefore, he is supposed to know about the caretaker of the Paying Guest facility that he alleges to have been going on in the ground floor and top floor of the house in question.

Learned counsel for the respondent – caveator, on the other hand, submitted that the respondent – landlord’s share/ ownership is with respect to first floor of the premises only wherein he has admitted the petitioner as a tenant. A transfer deed to that effect has also been entered into which is a part of the record before the Rent Controller as Ex.P-5.

In view of the aforesaid, no ground to interfere in the impugned order is made out.

Dismissed.

(Tribhuvan Dahiya)
Judge

September 01, 2022
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No