

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 110

Civil Revision No.3948 of 2022 (O & M)
Date of Decision: *November 17, 2022*

Mohinder Kaur

..... PETITIONER(S)

VERSUS

Kanta Devi

..... RESPONDENT(S)

. . .

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

. . .

PRESENT: - Mr. Vikram Bali, Advocate, for the petitioner.

. . .

Tribhuvan Dahiya, J (Oral)

This revision petition has been filed under Article 227 of the Constitution of India against order dated 10.01.2020 (Annexure P-1) passed by the Rent Controller, whereby eviction of the petitioner-tenant from the demised premises has been ordered; and also against judgment dated 01.07.2022 (Annexure P-2) passed by the Appellate Authority affirming the order of Rent Controller.

The eviction has been ordered only on the *bona fide* necessity of the respondent-landlord.

The only issue raised by learned counsel for the petitioner is that the landlord was in occupation of other property in the vicinity of the demised premises. In that regard he has referred to cross examination of the landlord, Annexure P-4, wherein she has stated that after the death of her husband, she owns only one shop, i.e., the shop in dispute and cannot give

the number of shops owned by her husband during his lifetime. She also stated that she had sold the other shops after the death of her husband as she was facing financial hardship. One shop was situated near the shop in dispute and she did not remember when it was sold.

These statements of the landlord did not in any manner establish that she owned or occupied any other property in her name within the municipal limits or in the vicinity of the demises premises. Therefore, there is no ground to interfere with the impugned judgments.

Dismissed.

Since the main petition stands decided, all pending applications, if any, are disposed of as having been rendered infructuous.

(Tribhuvan Dahiya)
Judge

November 17, 2022

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Whether Speaking/ Reasoned:

Whether Reportable:

Yes/ No

Yes/ No