

In the High Court of Punjab and Haryana, at Chandigarh

1. Civil Revision No. 4426 of 2022

Ashwani Kumar

... Petitioner(s)

Versus

Jasber Singh and Another

... Respondent(s)

AND

2. Civil Revision No. 4429 of 2022 (O&M)

Gopal Krishan (Deceased) through his Legal Representative

... Petitioner(s)

Versus

Jasber Singh and Another

... Respondent(s)

DATE OF DECISION: 21.10.2022

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. C.L.Sharma, Advocate
for the petitioner(s).

Mr. Sumeet Goel, Senior Advocate
with Mr. Samir Rathaur, Advocate
for the caveator (In CR-4426-2022).

Anil Kshetarpal, J.

1. These two connected revision petitions have been filed by two different tenants of the same respondents-landlords. Their respective applications for grant of leave to contest the eviction petition under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949 (hereinafter referred to as “the 1949 Act”) have been dismissed.

the 1949 Act to seek immediate possession of the tenanted premises. This is a special provision incorporated for the benefit of the non-resident owners/landlords. Section 18-A of the 1949 Act enables the tenants to file an application for leave to contest disclosing the grounds which may lead to dismissal of the petition. In the present case, though such applications were filed, however, the Rent Controller has dismissed the applications.

3. Heard the learned counsel representing the parties, at length and with their able assistance, perused the paper-book.

4. The learned counsel representing the petitioner(s) contends that the respondents' father had purchased the property bearing plot No. 38, Street – N, Sector 15-B, Chandigarh. However, the sale deed has not been proved to be related to the property in question.

5. On the other hand, the learned counsel representing the respondents submits that the petitioners do not dispute the relationship of landlord and tenant as they admit that they were inducted as tenants by the respondents' father. It has further been pointed out that after the death of the respondents' father, the petitioners were paying rent to the respondents. It has also been pointed out that the property was purchased with the old plot number, however, on the allotment letter, file No. RP-7106 has been specifically mentioned. The same file number has been referred to in the transfer letter of House No. 1222, Sector 15-B, Chandigarh. He submits that the transfer letter issued by the Estate Office on 04.01.2018 pertains to the plot number referred to above. Chandigarh is a planned city. The file of each plot is assigned a RP number. Once the city has been planned, all

aforesaid RP number. In the present case, there is hardly any doubt about the ownership of the respondents or their predecessor-in-interest. The petitioners themselves admit that they were inducted by the respondents' father and they continued to pay the rent to the respondents after his death.

6. In view of the aforesaid facts, sufficient evidence to show the title of the respondents over the property in question has been produced. Hence, no ground is made out to interfere. Consequently, both the revision petitions are dismissed.

7. The miscellaneous application(s) pending, if any, in the Civil Revision No. 4429 of 2022, shall stand disposed of.

**(Anil Kshetarpal)
Judge**

October 21, 2022
"DK"

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