

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-2662 of 2016 (O&M)
Date of decision: 27.09.2022

Ranbir

..Appellant

Versus

Jagmal Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arjun Dhingra, Advocate, for
Mr. Vimal Kumar Gupta, Advocate
for the appellant.

Mr. Kulwinder Singh, Advocate, for
Mr. S.S.Sarwara, Advocate
for the respondent.

ANIL KSHETARPAL, J(Oral)

Assailing the correctness of concurrent findings of fact arrived at by the courts below, the defendant has filed the present appeal.

The plaintiff's suit filed for possession after termination of the tenancy has been decreed by both the courts below. The appellant (the tenant) does not dispute the tenancy. The tenancy was terminated by sending a notice to the tenant. The appellant does not claim protection of the provisions of the Haryana Urban (Control of Rent & Eviction) Act, 1973 as the premises is located in a village, where the aforesaid Act is not applicable.

The appellant claims that the property in question belongs to the Gram Panchayat which was leased to the plaintiff, who, in turn, leased the same to the appellant. It is contended that the plaintiff has also ordered to be evicted by the Gram Panchayat.

The relationship of landlord and tenant between the respondent

and the appellant is not in dispute. The appellant claims tenancy from the respondent. Hence, the appellant is required to surrender the possession in favour of the respondent. Admittedly, the plaintiff's appeal against the order of his eviction is pending in the Court.

Hence, no ground to interfere is made out.

Dismissed.

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

September 27, 2022

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**(ANIL KSHETARPAL)
JUDGE**

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