

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

*210-B*

**RSA No.6239 of 2015 (O&M)**  
**DATE OF DECISION : 9<sup>th</sup> MARCH, 2022**

**Ajay Chauhan**

**.... Appellant-Defendant**

**Versus**

**Tribune Trust (Established 1881) Sector-29C, Chandigarh through  
its Assistant General Manager viz. Sh. Rajeshwar**

**.... Respondent-Plaintiff**

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

\* \* \* \*

Present :     None for the appellant.

\* \* \* \*

**RAJBIR SEHRAWAT, J. (Oral)**

The present appeal has been filed challenging the judgment and decree dated 14.07.2015 passed by the Additional District Judge, Chandigarh; along with judgment and decree dated 22.11.2012 passed by Civil Judge (Junior Division), Chandigarh, whereby the suit filed by the plaintiff-respondent, for seeking ejectment of defendant, was decreed by the trial Court and appellate court upheld the judgment and decree of the trial Court.

A perusal of the orders shows that no notice was issued in this appeal. The appeal was ordered to be listed along with CWP-27272-2015. However, the same has been dismissed by this court vide separate order of even date.

The present appeal is filed against concurrent findings of the facts recorded by both the courts below. Both the courts below have recorded that the appellant did not have any right to retain the possession

of the house in question after termination of the service; because the same was allotted to him only as an employee of the plaintiff-respondent. There is nothing on record to show any other right of the petitioner to retain the possession of the house, except as employee of the respondent. However, the respondents had already terminated the service of the petitioner. Therefore, this court does not find any fault with the concurrent findings recorded by the courts below.

Otherwise also, this court is not to interfere with the concurrent findings of the courts below only because a different opinion is possible by interpretation of the same evidence. The court has to see if there is any perversity in the order/judgment passed by the courts below; resulting from gross misappreciation of the evidence, or lack of evidence. None of these factors is present in this appeal.

In view of the above, the present appeal stands dismissed.

All the pending applications, if any, stand dismissed accordingly.

**9<sup>TH</sup> MARCH, 2022**  
*‘raj’*

**(RAJBIR SEHRAWAT)**  
**JUDGE**

|                                   |            |           |
|-----------------------------------|------------|-----------|
| <i>Whether speaking/reasoned:</i> | <i>Yes</i> | <i>No</i> |
| <i>Whether Reportable:</i>        | <i>Yes</i> | <i>No</i> |