

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

CR-5635-2022 (O&M)
Date of decision: 02.12.2022

Jatinder Kumar Sanan @ Jatinder Mahajan
....Petitioner

Versus

Neeraj Mathawan and another
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S.Manhas, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

While assailing the correctness of the eviction order passed by the Rent Controller, the petitioner (tenant) has filed a separate revision petition before this Court. In the execution petition, the petitioner's objection petition for staying the execution proceedings on account of pendency of the revision petition has been dismissed on 17.08.2022. This revision petition has been filed challenging the correctness of the aforesaid order passed by the Executing Court on 17th August, 2022.

Learned counsel representing the petitioner submits that respondents have claimed the property on the basis of a Will, which they have failed to prove in the civil litigation between the heirs. Hence, the execution proceedings should be kept in abeyance. On a Court question, the learned counsel representing the petitioner admits that the respondents are among the co-owners, irrespective of the Will. It is well settled that a rent petition on behalf of a co-owner is maintainable. Hence, no

ground to interfere is made out.

Dismissed.

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

02.12.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE