

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

115

CR-117-2023

Date of decision : 10.01.2023

Hukam Chand

... Petitioner

Versus

Kesri Lal and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Santosh Kumar Tripathi, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the order dated 11.10.2021 (Annexure P-4) whereby the application preferred by the respondents for appointment of a Building Expert to inspect the premises has been allowed.

Learned counsel for the petitioner submits that the application had been preferred by the respondents/landlord after five years of filing of the petition for eviction. He also submits that the application is not *bonafide* and only meant to create evidence for eviction of the petitioner.

In response to the query of this Court as to how long the petitioner is occupying the premises and what is the rent at present, learned counsel submits that the petitioner is occupying the premises for about 40 years and is paying the rent of Rs.175/- per month since last 40 years.

Heard.

The respondents/landlord had filed petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 for eviction of the petitioner. In the petition, it had been specifically stated that the building is

unsafe and unfit for human habitation. He had, thereafter, preferred an application for appointment of an expert to inspect the building which has been allowed by the trial Court while passing the impugned order.

In view of the above, I do not find any infirmity directing appointment of an expert to inspect the building especially when it has been pleaded in the petition that the building is damaged and unsafe for human habitation.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

January 10, 2023
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No