

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

**Civil Revision No.6461 of 2018
Date of Decision: 06.02.2023**

Smt. Promila Kanwar & Another

...Petitioners

Versus

M/s Anand Pur Trust & Another

....Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Jagram Singh Cooner, Advocate,
for the revisionists-petitioners.

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MEENAKSHI I. MEHTA, J.(ORAL)

Feeling aggrieved by the judgment dated 27.02.2018 passed by learned Rent Controller, Ambala, whereby the petition, as filed by the petitioners-landladies (here-in-after to be referred as 'the landladies') for seeking the eviction of the respondent-tenant (here-in-after to be referred as 'the tenant') from the demised premises, has been dismissed as well as by the judgment handed down by learned Appellate Authority, Ambala, on 04.07.2018, dismissing the appeal moved by the landladies against the said judgment dated 27.02.2018, they (landladies) have preferred the instant revision petition to lay challenge to the same.

2. Shorn and short of unnecessary details, the facts culminating in the filing of the present revision petition, are that the landladies filed the above-mentioned Eviction Petition against the tenant on the ground of non-

payment of the rent in respect of the demised premises, @ Rs.570/- per month, for the period from November, 2015 to February, 2016. The tenant contested the claim of the landladies by asserting that he had been regularly paying the rent to the Trust created by the owner of the said premises and was not in any arrears of the rent as alleged/claimed by them (landladies).

3. The Rent Controller framed the issues on 18.04.2017 and after appreciating and evaluating the evidence as led by the parties on the record and hearing their learned counsel, he dismissed the afore-referred Eviction Petition vide the judgment dated 27.02.2018 and the appeal moved by the landladies to assail the above-said judgment, has also been dismissed by the Appellate Authority vide the judgment dated 04.07.2018.

4. I have heard learned counsel for the petitioners-landladies in this revision petition, at the preliminary stage and have also perused the file carefully.

5. Learned counsel for the landladies contends that initially, Lala Benarsi Dass was the owner of the demised premises and after his death, the landladies, being his successors-in-interest, had become the owners of the same, by way of the natural flow of inheritance and as such, they were entitled to receive the rent in respect thereof but the tenant had not paid the rent to them for the afore-mentioned period and therefore, he was liable to be evicted from the said premises on this score.

6. However, the above-raised contentions are devoid of any merit because the respondent-tenant claims/asserts himself to be a tenant under Rai Bahadur Lala Benarsi Dass Trust and the Appellate Authority has also

categorically observed in Para No.14 of the impugned judgment dated 04.07.2018 that the tenant had produced the receipts, Exhibits R-2 to R-8, on the record to establish the factum of the payment of rent by him to the afore-named Trust and the receipts Exhibits R-4 to R-6 pertained to the period from November, 2015 to February, 2016 and that the landladies could not produce any evidence regarding their having received the rent for any of the properties owned by Lala Benarsi Dass.

7. As a sequel to the fore-going discussion, it follows that the impugned judgments, as rendered by both the Courts below, do not suffer from any illegality, infirmity, irregularity or perversity so as to call for any interference by this Court. Resultantly, the revision petition in hand, being *sans* any merit, stands dismissed.

06.02.2023

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(MEENAKSHI I. MEHTA)
JUDGE

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