

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

**CR No. 1336 of 2023
Date of decision: 01.03.2023**

Satish Kumar Petitioner.

Versus

Naval Kishore Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Amarpreet Singh, Advocate, for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner/tenant has challenged the order dated 09.01.2023 (Annexure P-6) passed by the Rent Controller, Bathinda, whereby Anil Kumar has been substituted as the landlord in the eviction petition.

Learned counsel for the petitioner/tenant submits that the eviction petition had been filed by Naval Kishore, who later had impleaded his wife Parkash Rani being the owner of the demised premises. The ground for eviction was personal necessity for setting up the business of their son Kailash Chander. During pendency of the eviction petition, both Naval Kishore and Parkash Rani have expired and, therefore, Anil Kumar could not have been substituted as the sole landlord when Naval Kishore had four other legal heirs and the ground for eviction did not subsist.

Heard.

The petition had been filed by Naval Kishore for eviction of the petitioner/tenant on the ground of non-payment of arrears of rent as well as personal necessity. During pendency of the eviction petition, Naval Kishore

and his wife Parkash Rani have expired. They are stated to have been survived by five legal heirs, but the other legal heirs have transferred their share in the demised premises in favour of Anil Kumar vide transfer deed No.7427 dated 08.10.2021. Thus, Anil Kumar has been substituted as the landlord in the ejectment petition. Therefore, the application for substitution of Anil Kumar has been rightly allowed by the Rent Controller. I do not find any illegality in the impugned order dated 09.01.2023 (Annexure P-6) substituting Anil Kumar as the petitioner/landlord in the eviction petition.

Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

01.03.2023
Ramesh

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