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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-2368-2023 (O&M)
Reserved on 21.04.2023
Date of decision : 29.04.2023

Inderjit Saini ... Petitioner(s)

Versus

Charandev Singh Dayal @ Charan Dev ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vikas Kumar Gupta, Advocate for the petitioner.

ALKA SARIN, J.

1. The present revision petition has been preferred by the JD-petitioner against the order dated 20.03.2023 passed by the Executing Court dismissing the objections filed to the execution petition as false, frivolous and without any merit.
2. The sole argument raised by learned counsel for the JD-petitioner is that there is non-compliance of Section 24 of the Punjab Rent Act, 1995 (hereinafter referred to as 'Punjab Rent Act').
3. The brief facts relevant to the present *lis* are that the landlord-respondent filed a petition under Section 24 of the Punjab Rent Act for ejectment of the JD-petitioner from shop building marked 'EFGH' along with Veranda existing in front shown in yellow colour in the site plan and as described in detail in the ejectment petition. The JD-petitioner filed an application seeking leave to contest. In the application, various pleas were

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raised including that the landlord-respondent had not proved the necessary ingredients of Section 24 of the Punjab Rent Act. The Rent Controller vide order dated 09.10.2019 dismissed the application seeking leave to contest and ordered the ejectment of the JD-petitioner from the premises in dispute. Learned counsel for the JD-petitioner has stated that the said order has been challenged and two Civil Revisions being CR No.1518 of 2022 and CR No.2409 of 2021 are pending before this Court. He, however, has candidly admitted that in none of the said petitions any stay has been granted.

4. I have heard learned counsel for the JD-petitioner.

5. Before the Rent Controller, all possible pleas were raised in the application seeking leave to contest including that the essential ingredients of Section 24 of the Punjab Rent Act were not complied with. The same stood rejected vide a detailed order dated 09.10.2019. The JD-petitioner cannot be permitted to raise the same pleas before the Executing Court. Learned counsel for the JD-petitioner has not been able to make out any ground as to why the order dated 20.03.2023 impugned herein deserves to be interfered with.

6. In view of the above, I do not find any illegality or infirmity in the impugned order. The present revision petition, which is wholly devoid of any merit is, accordingly dismissed. Pending applications, if any also stand disposed off.

29.04.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO