

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No.4817 of 2017 (O&M)

Date of Order:10.01.2024

Banwari Lal (since deceased) through his LRs

.Petitioner

Versus

Brij Mohan (since deceased) through his LRs

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.Mr. Vipin Mahajan, Advocate
for the respondent.ANIL KSHETARPAL, J

1. The petitioner(s) herein are the legal representatives of the tenant who was ordered to be evicted by the Rent Controller which in appeal was affirmed by the Appellate Authority.

2. This revision petition has remained pending in this court for nearly last 7 years. After hearing the learned counsel representing the parties on 22.12.2023, the following order was passed:-

“Learned counsel representing the parties have been heard at some length.

On the one hand, the learned counsel representing the petitioner contends that they were not given sufficient opportunity to produce their evidence. It has been stated that on 30.08.2015 their predecessor namely Sh.Banwari Lal Aggarwal died. An application for bringing his legal representatives on record was filed and allowed on 19.03.2016, whereas the court ordered eviction on 06.04.2016 without giving an opportunity to the petitioners to lead evidence.

On the other hand, the learned counsel representing the respondents submits that the tenants have not paid the rent for the last 5 years and the last payment was made only in the year 2016.

Learned counsel representing the petitioners prays for some time to get the complete information, before assisting the Court.

List on 10.01.2024, in the urgent list.”

3. The learned counsel representing the petitioner admits that the rent has not been paid for the last 6 years, however, it was on account of an inadvertent mistake.
4. This court has considered the submissions of the learned counsel representing the parties.
5. The revisional jurisdiction vested in this court is a discretionary jurisdiction and the scope is narrow and limited. The tenant, who has failed to pay the rent to the landlord for the last 6 years do not deserve any indulgence.
6. Hence, the revision petition is dismissed.
7. All the pending miscellaneous applications, if any, are also disposed of.

January 10, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO