



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

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CR-7407-2014 (O&M)
Date of decision : 25.11.2024

KANSHI RAM DECEASED THROUGH LRS ... PETITIONER (s)
VERSUS
KAUSHALYA MAMMAN ...RESPONDENT(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. R.S. Bajaj, Advocate and
Mr. Sidakjit Singh Bajaj, Advocate for the petitioners.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been preferred by the tenant-petitioner challenging the order dated 04.10.2014 passed by the learned Rent Controller, Jalandhar whereby the eviction of the tenant-petitioner was ordered on the ejectment application filed by the landlord-respondent under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949 (hereinafter referred to as 'the Act') and the application filed under Section 18-A(4) and (5) of the Act was dismissed.

2. The landlord-respondent filed a petition under Section 13-B of the Act seeking ejectment of the tenant-petitioner from the shop located at Village Chogitti, Tehsil and District Jalandhar on the ground that she is a Non-Resident Indian and the tenanted premises were required for her bonafide necessity. It is apt to mention here that two ejectment applications were filed by the landlord-respondent qua two adjacent shops. In both the ejectment applications the leave to contest was denied to the tenants and it was held that the landlady was entitled to get the property vacated on the

ground of bonafide necessity being a Non-Resident Indian. Aggrieved by the same, two revision petitions were preferred : CR-7406-2014 by Dev Raj and the other i.e. the present revision petition being CR-7407-2014 by Kanshi Ram. Initially, in both the cases notice of motion was issued on the ground that a similar matter was pending before the Hon'ble Supreme Court. The matter now since stands decided by the Hon'ble Supreme Court which is fairly conceded by the learned counsel for the tenant-petitioner. Learned counsel for the tenant-petitioner has also very fairly brought to the notice of the Court that the revision petition being CR-7406-2014, which was filed by the tenant of the adjoining shop, stands dismissed by this Court vide order 02.03.2022.

3. In view of the above and also in view of the findings returned by the Rent Controller, I do not find any merit in the present revision petition. The same is accordingly dismissed. Pending applications, if any, also stand disposed off.

25.11.2024
Ankur

(ALKA SARIN)
JUDGE

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