

2024:PHHC:021284
**120 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-8586-2016 (O&M)
Date of decision: 14.02.2024

M/s Libas Garments

...Petitioner

Versus

Raminder Kaur and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Namit Gautam, Advocate for the petitioner

Mr. Rahul Rampal, Advocate for respondent no.1

ANIL KSHETARPAL, J (Oral)

1. The petitioner herein is a tenant, who is sought to be evicted by the landlady from the shop, by filing a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949. During the pendency of the trial, the petitioner filed an application for directing the landlady to allow the draftsman appointed by it to visit the property and prepare the site plan. The Rent Controller dismissed the application.

2. The correctness of the aforesaid order has been challenged in this revision petition.

3. Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

4. Learned counsel representing the petitioner submits that the total area in possession of the landlady is required to be determined in order to assess her bona fide necessity.

5. This Court has considered the submissions made by the learned counsel representing the parties.

6. It is evident that the shop in question is constructed on a small portion of the residential house. The eviction of the petitioner has been sought from the shop. Hence, the area under the residential house of the landlady has no relevance.
7. Keeping in view the aforesaid facts, no ground to interfere is made out.
8. Hence, dismissed.
9. All the pending miscellaneous applications, if any, are also disposed of.

14.02.2024
rekha

(ANIL KSHETARPAL)
JUDGE

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