

2024:PHHC:051890

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

CR-718-2019 (O&M)
Date of decision: 18.04.2024

Rajinder Kumar (deceased) through his LRs
....Petitioner

Versus

Smt. Veena Kukkar and another
..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ajay Jain, Advocate for the petitioner
Mr.Gaurav Chopra, Sr. Advocate with
Mr. Anurag Chopra, Advocate and
Ms. Gauri C Kaushal, Advocate for the respondents

ANIL KSHETARPAL, J (Oral)

1. The petitioner herein is a tenant who has been concurrently ordered to be evicted by the Rent Controller as well as the appellate authority on the ground that the building has become unfit and unsafe for human habitation. A building expert was examined by the landowner who has proved his report wherein it has been stated that there are more than 8 cracks and wooden batons supporting the roof which is made of tiles were found cracked. A large number of photographs were also produced to show that the roof has sagged at various places and number of batons have outlived their life. Thus, the courts formed the concurrent opinion that the building is unfit and unsafe for human habitation. learned counsel representing the petitioner contends that the premises measures 3000 square feet and even if few batons or tiles have damaged still the entire building cannot be said to have become dilapidated.

2. This Court has considered the submissions made by the learned counsel representing the parties.
3. In fact, this aspect has been considered by both the courts below. Moreover, scope of interference in revision petition is extremely limited in view of the **Hindustan Petroleum Corporation Limited vs. Dilbahar Singh' (2014) 9 SCC 78.**
4. Keeping in view the aforesaid facts, no ground to interfere is made out.
5. Hence, dismissed.
6. All the pending miscellaneous applications, if any, are also disposed of.

18.04.2024
rekha

(ANIL KSHETARPAL)
JUDGE

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