



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

202

CWP-17118-2015

Date of decision: 25.11.2024

RANJIT SINGH

...PETITIONER

Vs.

DEPUTY COMMISSIONER, JALANDHAR AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: None for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

Mr. Vijay Rana, Advocate
for respondent No. 3.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of orders dated 28.02.2011 (Annexure P-8) and 10.05.2013 (Annexure P-11) whereby Authorities under Punjab Public Premises & Land (Eviction & Rent Recovery) Act, 1973 (for short '1973 Act') have ordered him to vacate the premises in question.

2. The petitioner took shop No. 1-Zila Parishad Rest House No.2 Opposite Civil Hospital, G.T. Road, Jalandhar on rent from respondent-Zila Parishad, Jalandhar. The respondent-Zila Parishad filed eviction petition under Section 5 of the 1973 Act on the ground of non-payment of rent. The Sub Divisional Magistrate-cum-Collector ordered the petitioner to vacate the premises. Petitioner unsuccessfully preferred appeal before Appellate Authority. He is assailing order passed by Sub Divisional Magistrate as well as by Deputy Commissioner-Appellate Authority.



3. On 06.09.2023, the following order was passed:

“Learned counsel appearing on behalf of the petitioner prays for an adjournment on the premise that as the petitioner has died, he is unable to contact his legal representatives and thus, his legal representatives could not be impleaded.

Learned counsel for respondent No.3 has opposed the submission made by learned counsel for the petitioner and submits that the premises has been vacated by virtue of the impugned orders passed dated 28.02.2011 and 10.05.2013. He submits that the petitioner, who is no more, locked the premises. He further submits that agreement of respondent No.3 with the petitioner was up to the year 1988 and it was never renewed thereafter. He submits that on account of the same, the petitioner had been evicted by the Courts below. He submits that after locking the premises, the petitioner or his legal representatives are not even paying the rent since 1992. He submits that this Court at the time of issuing notice of motion on 19.08.2015, had granted the status quo and therefore only in order to prolong the status quo, frivolous adjournments are being taken.

In view of the above, the interim order dated 19.08.2015 stands vacated.

To come up on 26.02.2024 for arguments.”

4. Mr. Vijay Rana, Advocate submits that Zila Parishad has taken over possession of demised premises, thus, the instant petition has rendered infructuous.

5. In the wake of statement of counsel for respondent No. 3, the petition stands disposed of.

6. There is no representation on behalf of petitioner, thus, he is at liberty to move an appropriate application within 3 months from today, if cause survives.

25.11.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No