

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.107

LPA-1890-2023 (O&M)

Date of decision: 05.03.2024

Women Registered Society and another

....Appellants

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MRS. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Munish Mittal, Advocate, for the appellants.

Ms. Shubhra Singh, Addl. A.G., Haryana.

* * *

DEEPAK SIBAL, J. (Oral)

1. The present intra court appeal arises from the dismissal of the appellants' writ petition by a learned Single Judge of this Court through which petition the appellant had challenged the orders passed under the Haryana Public Premises and Land (Eviction and Land Recovery) Act, 1972 (for short – the Act) through which eviction of the appellants had been ordered from the shop in question.

2. After hearing learned counsel for the parties and going through the record, which includes the impugned judgment, we find that in the eviction proceedings instituted before the Collector under Sections 4 and 5 of the Act by respondent No.4 seeking therein the appellants' eviction, notice was issued to the appellants in response where to on several dates neither the appellants nor their counsel put in appearance. They also did not conclude leading of their evidence occasioning the passing of the order by the Collector closing the

appellants' evidence. Thereafter, on the basis of the evidence led by respondent No.4, the Collector found the appellants to be in unauthorized possession of the shop in question and ordered their eviction. The appellants' appeal filed against the order of the Collector was considered by the Commissioner, Hisar Division, Hisar. The Commissioner issued notice to the contesting parties and after re-appreciating the evidence and pleadings on the record dismissed the appellants' appeal through a reasoned and speaking order.

3. The concurrent findings arrived at by the Collector and the Commissioner to order the appellants' eviction are found to be reasoned and based on the evidence on record. No perversity is found in these orders. Therefore, the concurrent findings by the Collector and the Commissioner which have also been affirmed by the learned Single Judge warrant no interference by us especially when the record reveals that after 01.01.2011 neither any rent agreement has been produced by the appellants nor did they produce any evidence with regard to payment of any rent by them to respondent No.4.

4. Dismissed.

5. All pending miscellaneous applications, if any, also stand disposed of.

(DEEPAK SIBAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

March 05, 2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No