

2025:PHHC:014358



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

222

CR-6372-2008 (O&M)

Date of Decision : 30.01.2025

AJAY GUPTA

.... Petitioner

VERSUS

GURBAX SINGH BAHIA & ORS.

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sachin Kalia, Advocate for
Mr. R.S. Bajaj, Advocate for the petitioner.

Mr. A.K. Jain, Advocate and
Mr. Varun Baanth, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed challenging the order dated 20.08.2008 passed by the learned Rent Controller, Jalandhar whereby the application filed by the petitioner-tenant for leave to contest was dismissed and the ejectment petition filed by the respondents was accepted.

2. Brief facts relevant to the present *lis* are that the respondents herein filed an ejectment petition under Section 13-B of the East Punjab Rent Restriction Act, 1949, as amended upto the date, for immediate possession of shop bearing No.5 comprised in Khasra No.19661/10889 to 10894 and Khasra No.10895 of plot measuring 1 Kanal 13 Marlas 99 square feet situated at Kishanpura Hoshiarpur Road, Jalandhar City. The petitioner-tenant filed an application for leave to contest which was dismissed vide

order dated 20.08.2008 and the ejectment petition was accepted. Aggrieved by the same, the present revision petition has been filed.

3. The only argument of the learned counsel appearing on behalf of the petitioner-tenant is that the respondents are not owners of the shop in dispute.

4. *Per contra*, learned counsel for the respondents has pointed to para No.6 of the impugned order dated 20.08.2008 passed by the Rent Controller wherein the issue of ownership was dealt with. It was held that the certified copies of the sale deeds in favour of the respondents had been placed on the record which proved their ownership of the shop in dispute.

5. Heard.

6. In the present case the only argument raised by the learned counsel appearing on behalf of the petitioner-tenant is that the respondents are not the owners of the shop in dispute. The said argument was also raised before the Rent Controller concerned and the same was dealt with in detail. The certified copies of the sale deeds reveal that respondents herein – Gurbax Singh Bahia, Gurdev Singh Bahia, Kankar Singh Bahia and their deceased brother, namely, Dilbagh Singh – were the co-owners of the shop in question bearing Khasra No.19661/10889 to 10894 and 10895. Certified copies of the *jamabandi* for the year 2004-05 were also placed on the record revealing the same that the respondents were the co-owners of the shop in dispute. Learned counsel appearing on behalf of the petitioner has not been able to point out to any evidence on the record to even remotely suggest that

the respondents were not the owners of the shop in dispute or that the sale deeds were forged and fabricated.

7. In view of the above, I do not find any merit in the present revision petition and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

30.01.2025

Aman Jain

(ALKA SARIN)

JUDGE

*NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*