

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

2025:PHHC:066641

**CR-7312-2012 (O&M)****Date of decision: 19.05.2025****SUSHMA SAPRA****..Petitioner****Versus****JAGTAR SINGH****..Respondent****CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Sudhir Paruthi, Advocate
for the petitioner.

Mr. R.S. Bajaj, Advocate
Mr. Sachin Kalia, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

1. The eviction of the petitioner (tenant) has been ordered by the Rent Controller, which in turn has been affirmed by the Appellate Authority. The respondent being Non Resident Indian (NRI) sought immediate possession of Shop No.14-A by filing a petition under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949, in the year 2002.

2. Learned counsel for the petitioner has made the following submissions:-

i. Previously, some portion of the property was in possession of Smt. Sushma Gautam, which became available to the landlord in the year 2006 who has sold the same.

ii. The Courts have made out a new case for the landlord.

3. Per contra, learned counsel for respondent submits that the requirement of the respondent is with respect to shop No.14-A as he wants to amalgamate shop No.14-B and 14-A in order to construct his office and run his



business of property broker. He submits that the property on the front is suitable for respondent's business.

4. This Court has considered the submissions of learned counsel for the parties.

5. It is evident that the requirement of the respondent is specific to shop No.14-A as he is already in possession of shop No.14-B, which are a part of the same monolith building.

6. Hence, sale of shop, which is not suitable for the respondent's requirement shall not adversely affect the case of the respondent.

7. It is not disputed that there is one large building in which various portions have been carved out.

8. Hence, the Courts have not made out a new case for the respondent.

9. Hence, no ground to interfere is made out.

10. Dismissed.

11. All the pending miscellaneous applications, if any, are also disposed of.

May 19th, 2025

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**(ANIL KSHETARPAL)
JUDGE**

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