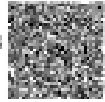


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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2025.PHHC-013058



CR-569-2025

Date of decision: 29.01.2025

KUSUM JAIN

..Petitioner

Versus

SAPNA ARORA AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

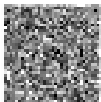
Present: Ms. Jasleen Kaur, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

1. The petitioner herein is one of the partner of M/s Silver Craft, who was tenant in a shop. The landlord filed petition under Section 20 of the Punjab Rent Act, 1995, seeking eviction of two brothers namely Sh. Rahul Jain and Sh. Rohit Jain sons of Sh. Sushil Kumar Jain, who were partners of the firm. Sh. Rahul Jain appeared through a counsel and started contesting the case. Sh. Rohit Jain committed suicide on 18.09.2020. Subsequently, he was proceeded against ex parte on 26.10.2021. His mother Smt. Kusum Jain filed an application for bringing her on record as legal representative of Sh. Rohit Jain, which was allowed.

2. Smt. Kusum Jain had already been permitted to participate in the eviction proceedings. Now, she wants that she should be relegated to the same position when late Sh. Rohit Jain was proceeded against ex parte. It is evident that Sh. Rahul Jain and Sh. Rohit Jain, two brothers were partners in the same firm. Their defence is common. Sh. Rahul Jain is already contesting the case. The Rent Controller has refused to relegate the petitioner to the same position particularly when rent petition pending before

the Rent Controller for the last 6 years.



- 3. Hence, no ground to interfere is made out.
- 4. Dismissed accordingly.

January 29th, 2025

Ay

(ANIL KSHETARPAL)
JUDGE

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