



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

113

CR-905-2025 (O&M)
Date of Decision: 14.02.2025

Munish Kumar

...Petitioner

V/s

Satinder Kaur

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Navneet Jindal, Advocate, for the petitioner.

VIKRAM AGGARWAL, J (ORAL)

The present petition is directed against the order dated 28.01.2025 (Annexure P-3), passed by the Court of learned Addl. Civil Judge (Sr. Divn.), Kharar, vide which the application filed by the petitioner under Order 7 Rule 14 of the Code of Civil Procedure, 1908 (for short the "CPC") seeking a direction to the respondent to produce sale deed dated 12.10.2016 was dismissed.

2. An eviction petition (Annexure P-1) under Section 20 of the Punjab Rent Act, 1995 (for short the "Rent Act") was filed by the respondent (Satinder Kaur) against the present petitioner seeking his eviction from a shop (fully described in the eviction petition) situated at Modern Complex, Near Post Office, Morinda Road, Kurali. An application was filed by the petitioner under Order 7 Rule 14 CPC seeking a direction to the respondent-landlord to produce the sale deed dated 12.10.2016. The application was, however, dismissed vide the impugned order dated 28.01.2025 leading to the filing of the present revision petition.

3. I have heard learned counsel for the petitioner.



4. Learned counsel for the petitioner submits that a copy of the sale deed is essential for the petitioner so that he can effectively contest the eviction proceedings. When confronted with the fact as to whether he had admitted in the petition filed by him under Section 10 of the East Punjab Urban Rent Restriction Act, 1949 (for short the “1949 Act”) that Kashmira Singh was the owner of the disputed shop, he submits that it indeed was admitted but in the present eviction petition, the respondent (Satinder Kaur) claims to be the owner of the disputed shop. He submits that for the said reason, the production of the sale deed was essential.

5. I do not concur with the submissions made by the learned counsel for the petitioner. For, the petitioner has to submit in his defence as per his own stand. As per the impugned order, he chose not to file reply for more than 4 ½ months and thereafter filed the present application. In any case, during the course of evidence, the petitioner will get full opportunity to cross-examine the witness and also during his evidence to prove his stand.

6. In the considered opinion of this Court, no illegality was committed by the Court of learned Rent Controller, Kharar, in dismissing the application warranting interference in revisional jurisdiction.

7. In view of the above, I do not find any merit in the present revision petition and the same is accordingly dismissed.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

February 14, 2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No