



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.3833 of 2019 (O&M)

Date of Order:18.03.2025

Upinder Singh

.Petitioner

Versus

M/s Raj Collection and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Gautam, Advocate
for the petitioner.

ANIL KSHETARPAL, JUDGE (Oral)

1. As per the office report, notice issued to respondents no.3, 4 and 5, have been received back served, however remain un-represented.

2. The learned counsel representing the petitioner submits that respondent no.3, 4 and 5, are the contesting respondents. He submits that in view of the order passed in Upinder Singh vs. M/s Thakur Pan Bhandar and others(CR No.3861 of 2019, allowed on 26.07.2022), the impugned order passed by the Rent Controller impleading Sh. Hardeep Singh and Sh. Amandeep Singh as respondents in the rent petition is liable to be set aside. He submits that the aforesaid order was passed in favour of the petitioner in identical circumstances. He further submits that Civil Revision No.3923 of 2019, has been allowed against the respondents herein.

3. The order passed on 26.07.2022, reads as under:-

“By this order, five civil revision petitions, i.e CR-3861, 3923, 4383, 3930 and 3928 of 2019 shall stand disposed of.



Proceedings under Section 13 of the East Urban Punjab Rent Restriction Act, 1949, to eject the tenants from the tenanted premises, are pending. During their pendency, applications for impleadment filed by the various co-owners of the property, have been allowed on the ground that they are also interested parties, having ownership in the tenanted property. In an eviction petition, the Rent Controller is required to examine as to whether there is a relationship of landlord and tenant between the concerned parties and whether the tenant is liable to be ejected. Inter se dispute between the various owners is not required to be adjudicated upon in an eviction petition. The Rent Controller is a Tribunal of limited jurisdiction. If there is any inter se dispute between the owners, the remedy is to file a civil suit.

Learned counsel representing the respondents submits that Sh. Hardip Singh, one of the co-owners, has also filed separate eviction petition against the tenants. If that is so, he may file an application for transfer of the proceedings to the same Rent Tribunal so that the matters can be decided together. However, the co-owners cannot be impleaded as respondents.

Consequently, the orders under challenge are set aside and the revision petitions are allowed.

All the pending miscellaneous applications, if any,



are also disposed of. “

4. From the reading of the impugned order, it is evident that the Rent Controller allowed the application filed by Sh. Hardeep Singh and Sh. Amandeep Singh on the ground that they are co-owners in the property.

5. Keeping in view the aforesaid facts, the revision petition is allowed in terms of order passed on 26.07.2022.

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

(ANIL KSHETARPAL)
JUDGE

March 18, 2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No