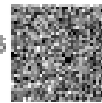


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

108

2025:PHHC:031678



**ESA-29-2015 (O&M)
Date of decision: 06.03.2025**

TARSEM LAL

..Appellant

Versus

KAMAL KISHOR SEHGAL AND ANR.

..Respondents

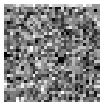
CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sanjeev Kumar Bawa, Advocate
for the appellant.

Mr. S.S. Panag, Advocate
for Mr. K.S. Dhillon, Advocate
for respondent No.1.

ANIL KSHETARPAL, J(Oral)

1. In a petition filed under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short '1949 Act'), Sh. Kamal Kishore Sehgal's petition seeking ejection of the tenant Sh. Vijay Bhandari has been allowed on 20.10.2008. The execution petition to implement the aforesaid eviction order is pending. The appellant filed objections on the ground that he is successor in interest of Sh. Tek Chand, who was owner of the property. Sh. Kamal Kishore Sehgal filed a reply submitting that Sh. Hari Chand was owner of the property, who bequeathed by virtue of a Will of the year 1996 in favour of Sh. Mohinder Pal. Subsequently, Sh. Mohinder Pal through attorney executed the sale deed in favour of Sh. Kamal Kishore Sehgal on 21.06.2002. Thus, both the Courts have found no substance in the objections filed by the appellants.
2. This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.



3. Learned counsel for the appellant submits that objections filed by the appellants have wrongly been dismissed because they are owners of the property. As per the provisions of ‘1949 Act’, the word ‘Landlord’ has been defined as a person, who is entitled to receive the rent. It is not synonymous with the word ‘Owner’. Moreover, if the appellants have any dispute with Sh. Kamal Kishore Sehgal then they have to establish their rights in the separate suit. At this stage, only the Executing Court is required to deliver possession in favour of the decree holder.

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

5. Dismissed accordingly.

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

March 06th, 2025

Ayub

(ANIL KSHETARPAL)
JUDGE

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