



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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LPA-2491-2025 (O&M)

Decided on : 27.08.2025

RAM LUBHAYA ALIAS LUBHAYA RAM

. . Appellant

Versus

ESTATE OFFICER CANTONMENT BOARD JALANDHAR CANTT,
DISTT JALANDHAR AND ANOTHER

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI

PRESENT: Mr. K. B. S. Mann, Advocate for the appellant.

HARSIMRAN SINGH SETHI, J. (Oral)

1 In the present appeal, the challenge is to the order dated 24.07.2025 passed by learned Single Judge, by which, the eviction proceedings started against the appellant under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (herein after referred to 1971 Act) has been upheld and writ petition bearing CWP No. 423 of 2017 titled as 'Ram Lubhaya versus Estate Officer Cantonment Board, Jalandhar Cantt. District Jalandhar and another' filed by the petitioner/appellant has been dismissed, which is causing prejudice to the appellant.

2. Learned counsel for the appellant has only raised an argument that he was the tenant of one Sharda Garg and the land in question did not belong to the Government so as to initiate the proceedings under the 1971 Act.

3. On being asked to show that any material evidence brought before the learned Single Judge that the ownership of the land in question is of said Sharda Garg, learned counsel for the appellant has not been able to



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show any such evidence or document.

4. Appellant is claiming to be the tenant of one Sharda Garg and he has not been able to show any ownership of the land in question in favour of Sharda Garg, whereas, due findings have been recorded by the learned Single judge on the basis of the material evidence brought on record that the land in question actually belongs to the Jalandhar Cantonment Board, and learned counsel for the appellant has not been able to rebut the said findings of the learned Single judge as being perverse either on the facts or on the basis of the settled principle of law.

5. Even otherwise, the order dated 24.07.2025 passed by learned Single Judge can only be interfered in case the same is perverse to the facts or law. In the present case, no perversity has been shown to this Court with the order dated 24.07.2025 passed by learned Single Judge that the same is contrary to the facts, evidence or the settled principle of law.

6. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

7. Accordingly, the present appeal is dismissed.

8. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

27.08.2025

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Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*