

**RSA-203-2024(O&M)****132 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****RSA-203-2024(O&M)****Date of decision: 05.02.2025**

Bhagwant Kumar

..Petitioner

Versus

Hans Raj

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. C.L.Sharma, Advocate for the petitioner

Mr. Sachit Khurana, Advocate for the respondent

ANIL KSHETARPAL, J. (Oral)

The appellant herein is a tenant. He assails the correctness of the decree for delivery of possession passed in favour of the owner. After terminating the tenancy by giving notice, the owner filed a suit for possession which has been decreed by both the courts below. Learned counsel representing the appellant submits that as per Section 106 of the Transfer of Property Act, 1882, (hereinafter referred to as '1882 Act') minimum notice of 6 months was required to be served.

This Court has considered the submissions made by the learned counsel representing the parties.

Section 106 of the 1882 Act is not applicable to the State of Punjab. Moreover, the suit was filed on 15.03.2014. It has been nearly 11 years. Notice issued in the suit is sufficient notice to the defendant.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Hence, dismissed.



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

05.02.2025

rekha

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(ANIL KSHETARPAL)
JUDGE