

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

(121)

CR-4216-2026 (O&M)
Date of Decision: **20.05.2026**

LAKHWINDER SINGH

... Petitioner

Versus

RANVIR SAINI

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. A.S. Manaise, Advocate
for the petitioner.

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VIRINDER AGGARWAL, J. (Oral)

1. The petitioner respectfully invokes the supervisory jurisdiction of this Court through the instant Civil Revision Petition to assail the judgment dated 23.02.2026 passed by the learned Appellate Authority, Gurdaspur. By virtue of the impugned judgment, the statutory appeal preferred by the petitioner against the underlying order of ejectment came to be dismissed, thereby affirming findings which are ex facie unsustainable in law and on facts.

1.1. The petitioner, being gravely aggrieved by the impugned adjudication and the substantial miscarriage of justice occasioned thereby, has been constrained to invoke the revisional jurisdiction of this Court seeking appropriate judicial intervention and redressal.

2. The factual matrix giving rise to the present revision petition may be delineated as under: The respondent—landlord instituted an



ejectment petition against the petitioner seeking eviction from the demised premises, namely a shop situated on G.T. Road, Gurdaspur, primarily on the ground of bona fide personal necessity. It was pleaded that the shop in question had been let out to the petitioner at a monthly rent of ₹1,700/- with effect from 15.09.2017. It was further averred that the respondent-landlord is the owner of ten contiguous shops situated on the ground floor, which are presently under the occupation of different tenants, apart from five additional shops situated on the first floor. The respondent-landlord asserted that he required all ten shops on the ground floor for establishing a business dealing in electronic goods by amalgamating and converting the said shops into a showroom.

3. The petitioner contested the ejectment petition and filed a written statement controverting the averments raised therein. It was specifically denied that the respondent-landlord possessed any *bona fide* requirement for the premises in question. It was further pleaded that the respondent-landlord owned several other commercial properties and shops within the municipal limits of Gurdaspur, thereby negating the alleged plea of necessity.

4. Upon consideration of the pleadings and evidence adduced by the parties, the ejectment petition came to be allowed by the learned Rent Controller. The appeal preferred by the petitioner against the said order was subsequently dismissed by the learned Appellate Authority.

4.1. Aggrieved by the judgment and order passed by the learned Appellate Authority affirming the eviction order, the petitioner has



invoked the revisional jurisdiction of this Court through the present revision petition.

5. Learned counsel for the petitioner contended that both the Courts below failed to appreciate that the alleged requirement projected by the respondent-landlord lacked the element of bona fides. It was submitted that the respondent-landlord is enrolled with the Bar Council of Punjab and Haryana and holds a valid licence to practise law and, therefore, in view of the provisions governing the legal profession, an Advocate is ordinarily precluded from engaging in any independent commercial business activity. It was further contended that the learned Authorities below failed to consider the material fact that three shops, which had earlier been vacated on similar grounds, were never utilized by the respondent-landlord for commencing the proposed business activity, thereby rendering the projected need illusory and devoid of genuineness.

6. I have heard learned counsel for the petitioner at considerable length and have carefully perused the paper-book with his able assistance.

7. The learned Rent Controller, at paragraph No. 13 of the underlying order, properly observed that the respondent-landlord is a licensed advocate enrolled with the Bar Council of Punjab and Haryana. In strict consonance with the provisions of the Advocates Act, 1961, and the Bar Council of India Rules, an Advocate is prohibited from engaging in any active business or commercial enterprise. The learned Rent Controller legalistically placed reliance upon the *ratio decidendi* laid down by this Court in ***Megh Raj v. Deepak Garg and Another (Civil Revision No. 6530 of 2011***, decided on **23.04.2012**), which squarely clarifies that a landlord

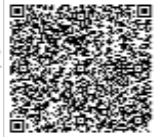


cannot be expected to remain idle and unemployed during the pendency of protracted eviction proceedings. In that precedent as well, the landlord had enrolled and commenced practice as an Advocate at Gurugram pending litigation.

7.1. In the instant case, the respondent-landlord has categorically deposed that he has no intention of pursuing an active legal practice. Furthermore, the respondent-landlord has specifically pleaded in the eviction petition his *bona fide* requirement to amalgamate and convert ten shops into a singular showroom to establish an electronic goods business. Consequently, the mere fact that three shops have become available to him in the interim does not dilute his *bona fide* intent to launch the projected business.

7.2. Both the authorities below have meticulously appreciated the pleadings and evidence on record, and their concurrent findings suffer from no illegality, perversity, or jurisdictional infirmity. Furthermore, this Court is apprized of the fact that execution has already taken place and the vacant physical possession of the demise premises has been duly recovered by the respondent-landlord. Accordingly, the present revision petition has rendered itself infructuous on account of the execution of the eviction decree and the consequent surrender of possession.

7.3. In light of the foregoing discussion and having regard to the subsequent developments governing the present proceedings, the instant petition no longer survives for adjudication and is accordingly disposed of as having been rendered infructuous.



8. In view of the fact that the principal matter stands finally adjudicated, all pending miscellaneous applications, if any, shall stand disposed of *pari passu* in terms of this Order. No further directions or orders are required to be passed in that regard.

20.05.2026
Gaurav Sorot

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No