

## Smt. Mehar Kaur Vs Sukhcharan Singh

**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** July 21, 1999

**Acts Referred:** East Punjab Urban Rent Restriction Act, 1949 " Section 13(2), 20(5)

**Hon'ble Judges:** V.S. Aggarwal, J

**Bench:** Single Bench

**Advocate:** Mr. Baldev Parkash Chaudhary, for the Appellant;

### Judgement

V.S. Aggarwal, J.

The present revision petition is directed against the order passed by the learned Rent Controller Amritsar dated

28.9.1979 and of the Appellate Authority, Amritsar Dated 20.1.1982. The learned Rent Controller dismissed the petition for eviction filed by the

petitioner and the appeal also met with the same. fate. Aggrieved by the same the present revision petition has been filed.

2. The relevant facts are that petitioner had fled an eviction petition against the respondent claiming arrears of rent from 1.10.1969 @Rs. 150/-.

P.M. contending that the same have not been paid. The respondent contest the said petition and took up the plea that rent is Rs. 100/- p.m. In

fact, according to the respondent there was a rent not executed and the entire rent upto 31.10.1976 had been paid.

3. Both the learned Rent Controller and the Appellate Authority have returned concurrent findings of fact against the petitioner. It was held that the

rent is Rs. 100/- p.m. and that arrears claimed were not due. Since there are concurrent findings of fact based on proper appreciation of evidence,

under sub-section (5) of Section 20 of the East Punjab Urban Rent Restriction Act, this Court will not be competent to reappraise the said

evidence. Thus there is no ground to interfere in the same. The revision petition therefore, must fail and is dismissed.

4. Revision dismissed.