

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.7410/2000

(From the judgement and order dated 02/03/2000 in CR 2762/82
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

RAJ KUMAR SHARMA

Petitioner (s)

VERSUS

RATTAN DEVI (D) BY LRS.
(With prayer for interim relief)
(For Final Disposal)

Respondent (s)

Date : 18/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.P. MISRA
HON'BLE MR. JUSTICE U.C. BANERJEEFor Petitioner (s) Mr. R. Venkataramani, Sr. Adv.
Mr. Satya Mitra Garg, Adv.For Respondent (s) Mr. Ashok Kumar Chhabra, Adv. for
Ms. Madhu Moolchandani, Adv.UPON hearing counsel the Court made the following
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Heard learned counsel for the parties.

We find the High Court and the Appellate Court have considered the matter in accordance with law. A finding of fact has been recorded that in terms of Section 13(2)(V) of the East Punjab Urban Rent Restriction Act, 1949, the tenant has ceased to occupy the building for a continuous period of more than four months without any reasonable cause. This being finding of fact, does not call for any interference by

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this Court in the present proceedings. Accordingly, the present petition is dismissed. Costs on the parties.

However, on the facts and in the circumstances of this case, we observe that the petitioner shall vacate the premises in question by or before the 31st October, 2001 subject to the usual undertaking to be filed within four weeks from today.

