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

CR-1460-2025 (O&M)

Date of Decision : 09.09.2025

Davinder Singh ... Petitioner(s)

Versus

Gagandeep Singh ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. DPS Bajwa, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

1. The present revision petition has been filed under Article 227 of the Constitution of India challenging the impugned order dated 14.11.2024 (Annexure P-1) passed by the Rent Controller, Ludhiana whereby an application filed under Order 1 Rule 10 read with Section 151 of the Code of Civil Procedure, 1908 has been dismissed.

2. Brief facts relevant to the present *lis* are that the landlord-respondent herein filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949. In reply, the tenant-petitioner herein denied the relationship of landlord and tenant and averred that the petition was not maintainable. Thereafter, an application was filed under Order 1 Rule 10 of CPC for impleading the Punjab Wakf Board through Chief Executive Officer, Chandigarh and Incharge, Punjab Wakf Board, Branch Ludhiana as respondent Nos.2 and 3 wherein it has been stated that during the pendency of the petition under Section 13 of the Punjab Rent Act, an application was

filed for substituting the name of Gagandeep Singh in place of the respondent therein – Sukhpal Singh – on the basis of a transfer deed dated 11.06.2019. It was further stated in the application that in the ejectment petition, no khasra number was mentioned, however, in the transfer deed, khasra No.996 has been mentioned. It was further stated in the application that the property in dispute does not fall in Khasra No.996 and with the intention of committing a fraud, Khasra No.996 has been mentioned in the transfer deed. It was further stated that the property fell in Khasra No.998 which was in the ownership of Punjab Wakf Board and therefore, Punjab Wakf Board be impleaded as a party. Reply was filed to the said application and vide the impugned order dated 14.11.2024 (Annexure P-1) the application has been dismissed. Hence, the present revision petition.

3. Learned counsel for the petitioner would contend that initially in the ejectment petition the khasra number was not mentioned. However, subsequently an application for substitution of the name of the respondent was filed on the basis of a transfer deed. In the transfer deed dated 11.06.2019 Khasra No.996 had been mentioned. It is the case of the petitioner that the disputed property falls in Khasra No.998 which is under the ownership of Punjab Wakf Board.

4. Heard.

5. In the present case the ejectment petition has been filed by the landlord-respondent herein on the ground that the petitioner herein is a tenant under the respondent. The said fact is disputed by the petitioner herein. It is also disputed that the property in question falls in Khasra No.996. Rather, the stand taken is that it falls in Khasra No.998. It is for the respondent herein to prove his case in accordance with law. The question whether the property is

owned by the Punjab Wakf Board or by the respondent herein cannot be gone into in an ejectment petition. In any case if the petitioner herein succeeds in proving his case that the property in dispute falls in Khasra No.998, the ejectment petition would accordingly fail. In view thereof, there is no requirement for impleading the Punjab Wakf Board as a party. In any event the respondent herein is always *dominus litis*. There is no relief claimed against the Punjab Wakf Board, hence, no fault can be found with the impugned order dated 14.11.2024 (Annexure P-1) passed by the Rent Controller.

6. In view of the above, I do not find any merit in the present revision petition. The same being devoid of any merit is accordingly dismissed. Pending applications, if any, also stand disposed off.

09.09.2025
Yogesh Sharma

(**ALKA SARIN**)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO