

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

Civil Revision No.1455 of 2014 (O&M)

Date of decision:22.07.2015

M/s Quality Auto Works

.... Petitioner

versus

Harbhajan Singh Viridi

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Yogesh Goel, Advocate,
for the petitioner.

Mr. Vishal Aggarwal, Advocate,
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The petitioner, who is the tenant, sought for leave to defend in an action brought for eviction under Section 13-B of the Punjab Rent Restriction Act of 1948. The landlord has made an averment in the plaint that he is in his possession a portion of a large building and the remaining portions which are in the possession of the tenants would also be necessary so that he reconstructs the old building which is old and dilapidated into a large building to run a departmental store. If the landlord is already in a portion of the

building and would want the remaining portions with the occupation of the tenants, it would be construed as requiring the portions in the occupation of tenants as additional accommodation in which case a leave to defend shall at all times be given as per the decision of the Supreme Court in **Santosh Devi Soni Versus Chand Kiran-(2001) 1 SCC 255** as followed by this court in **Jaswant Singh Versus Jagjit Singh Mangat in Civil Revision No.1160 of 2014, dated 20.04.2015**. The impugned order is set aside and the leave to defend is granted for the reasons above. The court will remind itself that it is a petition under Section 13-B that allows for fast tracking the disposal of petition for considering the requirement of the landlord and the Rent Controller will, therefore, endeavour to dispose of the case as expeditiously as possible.

2. Civil revision is allowed on the terms.

(K.KANNAN)
JUDGE

22.07.2015
sanjeev