

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

**CR-2528-2011**

**Decided on: May 25, 2015.**

Davender Singh Baba

.... Petitioner

Versus

Jagdish Singh

..... Respondent

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI**

Present: Mr. Vinay Puri, Advocate for the petitioner.

Mr. J.S.Brar, Advocate for the respondent.

**M.M.S. BEDI, J (ORAL)**

An application under Section 18-A of the East Punjab Urban Rent Restriction Act, 1949 ( for short 'the Act') filed by the tenant/respondent in proceedings under Section 13-B of the Act has been allowed, vide impugned order dated 03.03.2011.

The Rent Controller, Phagwara has formed an opinion that certain facts are required to be determined by parties by leading evidence.

Counsel for the petitioner-landlord submits that the order passed by the Rent Controller is contrary to the parameters laid down by the Apex Court in **Baldev Singh Bajwa vs. Monish Saini 2005(2) RCJ 110.**

After hearing counsel for both the parties, I am of the considered opinion that on account of stay having been granted in the present case, an ejectment petition filed under Section 13-B of the Act in the year 2006 has taken almost 10 years and is

still to be proceeded on. In the said period, an ordinary rent petition would have been decided even upto the High Court.

Taking into consideration the above said circumstances and the provisions of Section 18(A) of the Act when leave is granted to a tenant to decide the petition under Section 13-B of the Act, the Rent Controller is required to hear ejectment petition on day to day basis and decide the same expeditiously.

Without expression of any opinion on merits, in the interest of justice, this petition is disposed of with the direction that Rent Controller shall conclude the proceedings in the petition under Section 13-B of the Act within a period of three months, to be calculated w.e.f 25.07.2015, the date fixed before the Rent Controller.

Parties are directed to appear before the Rent Controller on 25.07.2015 for further proceedings.

Interim stay stands vacated.

**(M.M.S. BEDI)**  
**JUDGE**

**May 25, 2015**  
*mamta*