

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH

CR No. 4607 of 2015 (O&M)
Date of Decision: 24.07.2015

Kuljeet Singh and another

.....Petitioners

Vs.

Bhola Ram

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Rajesh Kumar Moudgil, Advocate,
for the petitioners.

SABINA, J.

Petitioners have filed this petition challenging the order dated 06.04.2015.

Learned counsel for the petitioners has submitted that the application moved by the respondent for setting aside the *ex parte* proceedings against him had been filed with *mala fide* intention just to delay the proceedings. Learned counsel for the petitioners has further submitted that the plea taken by the respondent for setting aside the *ex parte* proceedings against him was false.

Petitioners have filed petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 seeking ejectment of the respondent. Respondent appeared in pursuance to the summons issued to him. However, the respondent was proceeded *ex pte* vide order dated 20.01.2014. Thereafter,

respondent moved an application for setting aside the *ex parte* proceedings against him on the plea that he had been advised by his counsel that there was no necessity to contest the case. However, now the applicant met his counsel who was conducting his another case and he was advised that he should contest the present case also.

In the present case, the ejectment petition is still pending before the Rent Controller. In these circumstances, the learned Rent Controller while allowing the application rightly held that in case respondent is permitted to join the proceedings, the *lis* between the parties will be disposed of on merits. Moreover, petitioners have been compensated with costs.

Hence, no ground for interference is made out.

Dismissed.

**(SABINA)
JUDGE**

July 24, 2015
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