

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.4623 of 2014

Date of Decision.10.04.2015

Anoop Singh

.....Petitioner

Versus

Gurjit Singh Kahangura

.....Respondent

Present: Mr. Anil Malhotra, Advocate
for the petitioner.

Mr. Mandeep Kaushik, Advocate for
Mr. Anuj Sharma, Advocate
for the respondent.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The revision petitioner is the landlord who had sought for ejectment under Section 13B of the East Punjab urban Rent Restriction Act. In a complex of building, the landlord is reported to have taken action against three other tenants as well. While three tenants have moved application for leave to defend under Section 18 and obtained such relief, the application filed by the tenant in the instant case was declined and the landlord's application was also dismissed. Having regard to the fact that in the connected cases leave to defend has been granted in the connected cases, I would think a summary dismissal of the petition would not be appropriate and it will be in the fitness of things that order already passed declining the leave to defend is set aside and the respondent granted the leave to defend for him to file a

written statement in accordance with law. The Rent Controller while dismissing it has made observation about the petitioner's status as NRI and his entitlement to approach the Court under Section 13B. In the light of the observations made above offering to the tenant a right to defend, the findings stated against the petitioner are set aside and would require a full-fledged adjudication after taking the written statement. Parties to appear before the Rent Controller, Ludhiana on 20.05.2015.

2. The civil revision is disposed of with the above observations.

(K. KANNAN)
JUDGE

April 10, 2015
Pankaj*