

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 6356 of 2014 (O&M)
Date of decision: 23.03.2015

M/s Capital Plastics and another

... Petitioners

versus

Bakshish Singh

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Paras Talwar, Advocate for the petitioners.

Mr. Kuldeep Sanwal, Advocate for the respondent.

K.Kannan, J.

The revision is against the order declining leave to defend. The counsel would say that there are two other shops which are lying vacant and there are no bona fides in seeking an ejectment of this building along with other places which were also a subject of dispute. In one case, tenant has been ordered to be evicted and this Court has admitted the civil revision filed by him under in CR No. 1113 of 2013, Ajmer Singh Vs. Bakshish Singh.

Learned counsel for the landlord says that even an issue of whether his is a foreign citizen or NRI as defined under the Act is pending adjudication before Hon'ble the Supreme Court.

I hold that there are issues of fact and law which may require a full-fledged adjudication and the leave to issue ought to have been granted.

The order impugned is set aside and the defendant is granted the leave to defend in filing the written statement within time as per the statutory stipulation and Rent Controller shall render an

adjudication in accordance with law.

The civil revision petition is allowed with above observations.

(K.KANNAN)
JUDGE

23.03.2015
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