

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 7445 of 2014 (O&M)

Date of decision: 23.03.2015

Rafiq Khan

... Petitioner

versus

Yogesh Kumar

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sanjay Mittal, Advocate for the petitioner.

K.Kannan, J.

CM-24590-CII-2014

For the reasons stated in the application, which are duly supported by an affidavit, delay of 54 days in refiling the revision is condoned.

The application is disposed of.

CM-24591-CII-2014

For the reasons stated in the application, which are duly supported by an affidavit, delay of 2 days in filing the revision petition is condoned.

The application is disposed of.

CR No. 7445 of 2014

The petition for staying of trial of the petition for eviction was sought on the ground that the same landlord had earlier filed a petition for eviction on another ground, namely on non-payment of rent. The tenant wanted to contend that in both the cases, even apart from the ground of eviction which were different, the requisite consideration was whether the tenant was contractual tenant or

statutory tenant and that decision in an earlier case will have a bearing to the subsequent case as well.

I do not think there is any scope for tenant to have a subsequent case stayed only for securing a common adjudication as regards nature of petition. Such a contention can be urged irrespective of the pendency of the earlier petition.

I find no reason to interfere with the order in rejecting the staying of trial of the subsequent petition.

The civil revision petition is dismissed with above observations.

(K.KANNAN)
JUDGE

23.03.2015
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