

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

**C.M. NOS.27608 CII OF 2014 & 20884 CII OF 2015
CIVIL REVISION NO.7809 OF 2014
DATE OF DECISION: OCTOBER 14, 2015**

Guljinder Singh Tulsi

.....Petitioner

VERSUS

Devinder Beri

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

Present: Mr. Gopal Sharma, Advocate,
for the petitioner.

Mr. Kanwaljit Singh, Sr.Advocate with
Ajayvir Singh, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

C.M. No.27608 CII of 2014

Prayer in this application is for placing on record the fresh medical certificate showing the disability and extent thereof of the applicant-petitioner dated 27.11.2014 issued by the Civil Surgeon, Ludhiana. The said application is duly supported by an affidavit of the petitioner.

The application is, therefore, allowed and the fresh medical certificate is taken on record as Annexure P-7.

C.M. No.20884 CII of 2014

Present application has been moved for preponing the hearing of the case as also for staying the proceedings before the trial Court.

With the consent of counsel for the parties, the hearing of the main case is preponed to today and the case is taken up for hearing.

Since main case is taken up for hearing, there is no need to stay the proceedings before the trial Court. Therefore, prayer to stay the proceedings stands rejected.

Application stands disposed of.

Civil Revision No.7809 of 2014

Petitioner is present in person in Court and has been made to read the Punjabi Newspaper, which he has been able to read. It is stated by counsel for the petitioner that he can read and write Hindi, Punjabi and Urdu but cannot understand English. The affidavit, which has been submitted before the learned Rent Controller, copy whereof has been placed on record as Annexure P-4, is in English and in the verification of the same, it is not mentioned that the deponent has been made to understand its contents and explained to him in Punjabi, the language, which is known by him. Counsel for the petitioner states that translated copy of the affidavit in Punjabi, duly signed by the petitioner and attested, will be submitted as evidence before the learned Rent Controller within a period of one week from today. Further, on instructions, counsel for the petitioner states that the petitioner would not take any advantage/benefit of his deafness and would not take a plea that he was unable to understand the contents of the affidavit, which has been filed by him before the Rent Controller or in the cross-examination in the question answer form, which were to be put to

him.

In the light of the statement made by counsel for the petitioner, learned senior counsel for the respondent states that the respondent has no objection to the stand of the petitioner.

In view of the above, with the consent of the parties, the present petition is disposed of as infructuous. However, it is made clear that the observations made in the order dated 12.09.2014 with regard to the affidavit tendered by the petitioner-deponent will not be taken adversely in any manner, provided he submits his affidavit in Punjabi within a period of one week, as has been stated by his counsel. It shall be open to the Court to seek the help of an expert, if so required, at a subsequent date.

Counsel for the respondent submits that some time bound direction may be issued to the Rent Controller to conclude the proceedings as the matter is pending since 2011.

In view of the above, the Rent Controller, Ludhiana, is requested to make an endeavour to conclude the proceedings in the dispute pending before the Court as early as possible, preferably within a period of three months.

October 14, 2015
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(AUGUSTINE GEORGE MASIH)
JUDGE