

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

**115**

**Civil Revision No.8374 of 2015  
Date of Decision:09.12.2015**

Vikram Sharma

....petitioner

Versus

Sh.Sushil Jain

.....respondent

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI**

- 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.Gaurav Sethi, Advocate  
for the petitioner

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**ARUN PALLI, J.(ORAL):-**

Vide order being assailed, dated 10.09.2015, rendered by Rent Controller, Ambala, evidence of the petitioner-tenant had since been closed. The order reads as thus:

***“Today is the 15<sup>th</sup> opportunity availed by the respondent to adduce evidence. No evidence of the respondent is present. A date is requested by learned counsel for the respondent, which is strongly opposed by the counsel for the petitioner on the ground that respondent has availed sufficient opportunity to conclude his entire evidence but has failed to conclude his entire evidence. In the interest of justice, evidence of the respondent is closed by Court order. Now, to come up up on 25.09.2015 for rebuttal evidence if any otherwise for arguments.”***

Ex facie, the petitioner has been extremely negligent

and remiss in pursuing his cause but it shall be equally true that in case, he is not afforded one effective opportunity to lead and conclude his evidence, he shall not only suffer an incalculable loss but that might also result in miscarriage of justice. As regards the inconvenience and the delay caused, respondent could always be compensated by awarding a suitable costs.

That being so, and without issuing any notice to the respondent to avert any further delay and the expenses that he shall have to incur to defend these proceedings, order dated 10.09.2015 is set aside and the petition is disposed of, in the following terms:

1. Petitioner-tenant shall be granted only one effective opportunity to lead and conclude his evidence on the date that shall be fixed by the trial Court, in this regard.
2. As submitted by learned counsel for the petitioner, the petitioner shall be permitted to examine only one witness i.e. Pankaj Bali. In the event, the petitioner-tenant fails to conclude his evidence on the designated date, his evidence shall be deemed to have been closed and no further adjournment shall be granted.
3. This, however, shall be subject to payment of costs of ₹ 20,000/-, which shall be condition precedent.

09.12.2015

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**(ARUN PALLI)  
JUDGE**