

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

CR No.1301 of 2016

Date of Decision : 25.02.2016

Jatinder Batra

..... Petitioner

Versus

Asha Gupta

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Nimanyu Gautam, Advocate
for the respondent.

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?

AJAY TEWARI, J. (Oral)

On the last date the following order was passed:-

“This petition has been filed against the order dated 17.12.2015 for striking off the defence of the petitioner for having not file the reply within the stipulated period of 90 days. Admittedly, the petitioner had appeared for the first time on 16.09.2015 and had not filed his reply and even by 17.12.2015 by when 90 days period was over.

Learned counsel submits that only reason the reply could not be filed was that the petitioner had to find out the details of the other properties owned by the landlord and states that the matter is now fixed for 24.02.2016 and the petitioner would definitely file his reply on the said date and the respondent-landlord can be compensated by costs.

Notice of motion for 25.02.2016.

The respondent be served through dasti process in the trial Court.

In the meantime, further proceedings shall remain stayed.

To be shown in the urgent list.”

Learned counsel for the respondent states that in this case the respondent who is a senior citizen has filed the petition on the ground of personal necessity and arrears of rent and in case a time cap is fixed for the trial he would have no objection to accept the plea made by the petitioner.

Learned counsel for the petitioner has fairly accepted this submission.

In the circumstances, the revision is allowed subject to the payment of Rs.5000/- as costs. The impugned order is set aside and the opportunity is granted to the petitioner to file his reply on the next date before the Rent Controller. It is further stipulated that both the parties will be given three effective opportunities to lead their evidence and the Rent Controller will endeavour to decide this case within one year from the next date.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

February 25, 2016

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**(AJAY TEWARI)
JUDGE**