

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

107+233

CM No.10832-CII of 2016 and
Civil Revision No.1472 of 2015

Date of Decision: May 25, 2016

Atamjit Singh

...Petitioner

Versus

Sanjeev Chopra

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Atamjit Singh, applicant-petitioner in person.

Mr. Vikas Mohan Gupta, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.10832-CII of 2016

Prayer in this application is for permission to place on record the zimni orders as Annexures P-13 to P-15 and for exemption from filing the certified copies of the same.

Application is allowed.

Annexures P-13 to P-15 are taken on record subject to just exceptions.

Exemption from filing the certified copies of the aforesaid documents is also granted.

CR No.1472 of 2015

Petitioner, who appears in person, while referring to the order dated 18.03.2015 passed by this Court, states that he stands by the statement, as has been recorded therein. He prays that the present revision petition be disposed of by directing the Rent Controller, Patiala, to conclude the hearing of the ejectment petition within some specified time.

He contends that he has concluded his evidence on 13.08.2015 and the case

is now being adjourned for producing evidence of the respondent and for consideration of the application under Order XIV Rule 5 read with Section 151 CPC.

2. The zimni orders, as placed on record, indicate that the said application under order XIV Rule 5 was filed by the respondent on 18.09.2015 and the reply thereto was filed on 05.10.2015, the very next date of hearing. Thereafter the case has been fixed for arguments on the application but the same has not yet been decided. He, thus, contends that the present revision petition may be disposed of as per his prayer made.

3. Counsel for the respondent, on the other hand, submits that the petitioner himself has been delaying the proceedings before the Rent Controller and now the blame has been put on the respondent. He contends that the petitioner is himself not wanting the proceedings to be concluded, however, he could not give any justification for not directing the Rent Controller to proceed with the matter expeditiously.

4. I have considered the submissions made by the counsel for the parties and have gone through the records of the case.

5. On 18.03.2015, the following order was passed by this Court:-

“Petitioner has contended that he does not press his prayer to set aside the order dated 15.01.2015 (Annexure P-6) passed by the learned Appellate Authority, Patiala and for setting aside the order dated 22.03.2014 (Annexure P-4) passed by the learned Rent Controller, Patiala. He only prays for a direction to the learned Rent Controller to conclude the ejectment petition in a time bound manner.

Before passing any order in this revision petition, I deem it necessary to issue notice to the respondent. Consequently, notice be issued to the respondent returnable

for 30.03.2015.

Dasti process as well”.

6. Petitioner has stated that he still stands by the said order and states that in the present revision petition, the prayer is limited for the conclusion of the proceedings in the ejectment petition within some time bound manner.

7. In view of the above, the present revision petition is disposed of with directions to the Rent Controller, Patiala, to consider and conclude the proceedings in the eviction petition in accordance with law at an early date preferably within a period of six months from the next date of hearing fixed before the Rent Controller.

May 25, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE