

110-3

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

C.R. No.2925 of 2016

Date of Decision : 19.05.2016

Kulwant Singh

..... Petitioner

Versus

Harbans Kaur

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Aditya Dassaur, Advocate
for the petitioner.

Mr. K.S. Dadwal, 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)

This revision petition has been filed against the order dated
11.04.2016 dismissing the application for dismissal of the rent petition.

On 27.04.2016 the following order was passed:-

*“Counsel for the petitioner has argued that the premises in
dispute were let out in December 2013 and the eviction petition
was filed in September 2015 and since both the dates were
after coming into force of the Punjab Rent Act, 1995, the*

eviction petition could not have been proceeded under the East Punjab Urban Rent Restriction Act, 1949 and, therefore, the Rent Controller erred in dismissing the application.

Notice of motion for 19.05.2016. Let the respondent be served through her counsel before the Rent Controller by way of dasti process. Meanwhile, further proceedings shall remain stayed.

To be shown in the urgent list.”

Learned counsel appearing for the respondent has very fairly stated that the impugned order has to be set aside in view of the order passed by this Court in CR-3509-2014, titled as Krishan Kumar vs. Kamla Devi, decided on 09.05.2016 and the respondent will move a necessary formal application for amendment so that the matter can be proceeded as per the Punjab Rent Act, 1995.

In the circumstances, this petition stands disposed of and the impugned order is set aside. A period of one month is granted to the respondent-landlord to move the necessary formal application for amendment in the ejectment petition which shall be allowed by the Rent Controller and the Rent Controller is directed to decide the case as per the Act of 1995.

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

May 19, 2016

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**(AJAY TEWARI)
JUDGE**