

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 4226 of 2016 (O&M)

Date of decision : July 08, 2016

M/s Friends Coffee Lounge/Arabic Infusion and Anr.

... Petitioners

vs.

Gurdev Kaur and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Pushpinder Kaushal, Advocate
for the petitioners.

Surinder Gupta, J

Heard.

This petition is against the order dated 2605.2016 (Annexure P8) whereby the application filed by the petitioner for re-calling of order dated 11.4.2016 (Annexure P/5) was dismissed.

The petitioner is a tenant in the premises and the respondents are seeking his ejectment as per provisions of Section 13 of East Punjab Urban Rent Restriction Act.

Without going into the details I confine to the matter in issue in this revision petition.

After closure of evidence of petitioner, the respondents were directed to produce evidence vide order dated 22.1.2016 and thereafter four adjournments were allowed till 11.4.2016 but the respondents (petitioners herein) failed to produce any witness or the list of witnesses. The adjournment for 11.4.2016 was allowed subject to payment of costs of ₹500/- to be deposited with the Legal Services Authority but he failed to deposit this amount.

Learned counsel for the respondents/landlord has put in appearance and has no objection if one adjournment is allowed to the petitioner subject to his depositing the amount of rent which the petitioner has also not deposited so far. Learned counsel for petitioner has confined the argument to the extent that the petitioner may be allowed only one opportunity to conclude his entire evidence at his own responsibility and he will not seek any further adjournment.

In view of the submissions of learned counsel for petitioner, this petition is allowed and one more opportunity is allowed to the petitioner subject to payment of ₹15,000/- as costs which will be deposited with Mediation and Conciliation Centre of this Court within two weeks from today. On deposit of costs, Rent Controller will take up the case on 25.7.2016 on which date the petitioner will file the list of witnesses and affidavits of the witnesses he is to examine. Thereafter, one more adjournment will be allowed to the petitioner to produce the entire evidence at his own responsibility and on his failure to produce the witnesses, his evidence shall be deemed as closed on the next date allowed by the Rent Controller.

July 08, 2016
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(Surinder Gupta)
Judge