

CIVIL REVISION NO.7343 OF 2016

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

DATE OF DECISION: NOVEMBER 16, 2016

(1) CIVIL REVISION NO.7343 OF 2016

Satish Pal

.....Petitioner

VERSUS

Kartar Singh

....Respondent

(2) CIVIL REVISION NO.7352 OF 2016

Mukhtiar Singh and another

.....Petitioners

VERSUS

Kartar Singh

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Sarju Puri, Advocate,
for the petitioner(s).

AUGUSTINE GEORGE MASI, J. (ORAL)

By this order, I propose to decide Civil Revision Nos.7343 and 7352 of 2016, wherein the orders impugned are dated 07.10.2016, which have been passed by the District Judge, Shaheed Bhagat Singh Nagar, vide which the request of the petitioners for transfer of case from the Court of the Rent Controller, where the case is pending, to some other Court, stands rejected.

It is the contention of learned counsel for the petitioners that the apprehension of the petitioners cannot be said to be unfounded as it is based upon wrong recording of the cross-examination by the Presiding Officer as some lines have emerged, which were never deposed by them. That apart, when an application was moved by the petitioners before the Rent Controller, seeking requisite correction, the same was kept pending, to be decided at the time of final arguments. On such an order having been passed by the Rent Controller, the respondent and his son distributed sweets in the market and openly declared that they would win the case after having got settled the matter with the Presiding Officer. Assertion has also been made that although an advice has been given to the Rent Controller to decide the application vide the impugned order, which has been preferred by the petitioners for correction/deleting the lines as have been emerged in the cross-examination grouse whereof has been made, but till date the said application is pending without any decision thereon. His further argument is that justice should not be seem to be done but should actually be done by giving the benefit to the petitioners. He, thus, contends that the present revision petitions may be allowed by setting-aside the impugned orders dated 07.10.2016.

I have considered the submissions made by learned counsel for the petitioners and have gone through the impugned orders as also the pleadings on record.

The accusation on the part of the petitioners with regard to connivance between the respondent and the Presiding Officer is unfounded. However, there appears to be merit for disposal of the pending application as filed by the petitioners, according to which in the cross-examination

some lines have emerged, which were never deposed by them. In case the said application is still pending with the Rent Controller, Shaheed Bhagat Singh Nagar, which as informed by counsel for the petitioners is pending consideration for 18.11.2016, the same be decided on the date fixed.

Both the revision petition stand disposed of accordingly.

Copy of the order be given ***dasti*** to counsel for the petitioners under the signatures of Bench Secretary of this Court.

November 16, 2016
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No