

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

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CR No.1216 of 2017 (O&M)

Date of decision: 19.04.2017

Bablesh Kumar & others

....Petitioners

Versus

Surinder Pal Kaur & another

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Gaurav Singla, Advocate, for
Mr.Sanjiv Gupta, Advocate, for the petitioners.

Mr.Varun Sharma, Advocate, for respondent No.2

G.S. SANDHAWALIA, J. (Oral)

The order dated 13.01.2017 (Anneuxre P5), passed by the Rent Controller, has been challenged by the petitioner-tenant on the ground that the application under Order 22 Rule 10 CPC for impleading Tanveer Singh was allowed, without getting a proper affidavit in support of the application, as the said Tanveer Singh, son of respondent No.2 was not present in India when the application was filed on 25.05.2016.

While issuing notice of motion, the operation of the order dated 13.01.2017 had been stayed.

Mr.Sharma has filed power of attorney on behalf of respondents. He submits that he has no objection if the impugned order is set aside, with liberty to file appropriate application.

Resultantly, in view of the no objection, as such, having been given by counsel for respondents, the present revision petition is allowed, the order dated 13.01.2017 is set aside and liberty is granted to file appropriate application, in accordance with law. The Rent Controller, Mohali will not be biased by the setting aside of the order, as such, while deciding the application, afresh.

19.04.2017

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No