

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

CR 2899/2014

Date of decision:20.07.2017

Joga Singh

.....Petitioner

v.

Avtar Singh Kalsi

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Ms.Promila Nain,Advocate for the petitioner/tenant

Ms.Meenakshi Singh,Advocate for

Mr.HS Baath,Advocate for respondent/landlord

Jaswant Singh,J,(Oral).

Tenant of the demised premises has filed the present revision directed against the order dated 5.2.2014 passed by the learned Rent Controller, Ludhiana whereby the tenant's application under Order 9 Rule 13 CPC for setting aside an ex parte eviction order dated 30.4.1998 has been dismissed.

It is apparent that the learned Rent Controller has, on the basis of evidence produced on record, found that the tenant refused to accept summons of the eviction petition filed after withdrawing the previously contested eviction petition. The substituted service by way of due munadi of the same address of the locality,as stated in the application under Order 9 Rule 13 CPC was also established.

Learned counsel, in view of remedy of appeal available against impugned order herein under Order 43 Rule 1 CPC, prays for permission to withdraw the present petition in order to enable her client to file an appeal in accordance with law.

Dismissed as withdrawn with liberty to file an appeal, if so advised, in accordance with law.

20.07.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No