

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

CR No. 6447 of 2017 (O&M)

Date of decision: 21.09.2017

Vijay Kumar

...Petitioner

Vs.

Surinder Singh Bedi

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vikas Gupta, Advocate for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

Last opportunity was granted by the trial Court for bringing evidence and on failure to do so by the landlord I find that there is nothing inherently wrong with the impugned order dated 11.08.2017 closing the evidence of the petitioning landlord, who failed to avail nine effective opportunities to conclude his evidence and was even imposed costs earlier in a sum of Rs. 3,000/-, but on due consideration of the matter, at the same time I feel that closing evidence may cause substantial injury to the petitioner and in order to avoid a miscarriage of justice and to encourage a decision on merits the petitioner is given one further and last opportunity to produce his witnesses on 29.09.2017 subject to payment of Rs.10,000/- to the tenant on the next date of hearing, failing which the Rent Controller will continue to record the statement of the witnesses of the respondents.

In case, the situation demands the trial Court may grant

another date to conclude the evidence, but not beyond that the time being short of the date fixed. Accordingly, the order dated 11.08.2017 is set aside for no other purpose except to serve the ends of justice.

Accordingly, this revision petition is allowed.

21.09.2017

kv

**[RAJIV NARAIN RAINA]
JUDGE**

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***