

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

Sr. No.106+214

C.R. No.8041 of 2015 (O&M)

Date of decision: 03.11.2017

Rajnish Chauhan

....Petitioner

versus

Suneet Tayal

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Gagandeep Sirphikhi, Advocate
for the petitioner.

Mr. Vikas Bahl, Senior Advocate with
Mr. Akshay Rawal, Advocate
for the applicant-respondent.

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DEEPAK SIBAL, J. (Oral)

C.M. No.23458-CII of 2017

Through the present application filed under Section 151 CPC, interim orders passed by the Rent Controller, Chandigarh, are sought to be placed on the record as Annexure AX-1 (colly).

Allowed as prayed for.

CM stands disposed of.

Main Case

Through the present petition a challenge is made to the order dated 25.08.2015 (Annexure P-18) through which application filed by the tenant-petitioner seeking adjournment of the eviction proceedings before the Rent Controller, Chandigarh on the ground that a related matter was pending before the Apex Court, has been declined. Challenge is also made to order dated 31.10.2015 (Annexure P-21) also passed by the Rent Controller, Chandigarh, through which the application filed by the petitioner-tenant seeking recalling of afore-referred order dated 25.08.2015 was dismissed.

At the time of hearing of the matter, learned Senior counsel appearing on behalf of the respondent submits that to avoid delay in the disposal of the eviction petition preferred by the respondent but without admitting to the cause raised by the petitioner in this petition, he has obtained express instructions from the respondent that the petitioner be granted one effective opportunity to cross examine the respondent-landlord.

In view of the above statement made by learned Senior counsel for the respondent, which is hereby taken on the record of the case, the instant petition is disposed of with a direction that the petitioner shall be granted only one effective opportunity to complete the entire cross-examination of the respondent and that such opportunity be availed of by the petitioner on the next date in the eviction proceedings fixed before the Rent Controller, Chandigarh.

Since the eviction petition was filed in the year 2009 on the ground of non-payment of rent and is lying pending for the last about 08 years, learned Senior counsel prays for the issuance of a direction to the Rent Controller, Chandigarh, for early disposal of the eviction petition.

Learned counsel for the petitioner has no objection if any such direction is issued.

In view of the above, the Rent Controller, Chandigarh is requested to finally adjudicate upon the eviction petition within two months from the date next before it.

The petition is disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

November 03, 2017

Jyoti 1

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No