

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

Civil Revision No.8676 of 2016
Date of Decision:23.08.2017

Anil Chopra and another

.....PETITIONERS

V/S

Ajay Kapoor and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Manoj Sharma, Advocate for the petitioners.

Mr.Jagdish Marwaha, Advocate for the respondents.

DEEPAK SIBAL J. (ORAL)

The petitioners had filed an application under Order 9 Rule 13 of the Code of Civil Procedure, 1908 (for short “the Code”) through which they had sought setting aside of the *ex-parte* ejectment order passed against them. During the pendency of such application another application was filed by them to bring on record additional evidence in support of their application filed under Order 9 Rule 13 of the Code, which through order dated 09.11.2016 was dismissed by the Rent Controller, Chandigarh. Laying a challenge to such order, the petitioners have filed the present revision petition.

Learned counsel for the petitioners submits that though in the application for leading additional evidence, three documents had been sought to be placed on record, on reconsideration, he would limit his claim to only the production of the record of the Registrar of Companies, Chandigarh, with regard to the list of Directors of YKM Bottling Company Pvt. Ltd.(for short “the Company”) right from the incorporation of the Company till date as also record showing the address of the company's registered office.

Learned counsel for the respondents submits that he has no objection if certified copies of the above documents, as procured by the petitioners from the office of the Registrar of Companies, Chandigarh are produced as additional evidence in the proceedings filed by the petitioners under Order 9 Rule 13 of the Code. However, he prays that to avoid delaying the proceedings, the petitioners be directed to produce such copies in a time bound manner.

In view of the above consensus having been arrived at between the parties, the impugned order is modified to the extent that in the pending proceedings filed by the petitioners under Order 9 Rule 13 of the Code, they shall be permitted to produce, as additional evidence, certified copies of the record, as procured by them from the office of the Registrar of Companies, Chandigarh relating to the list of Directors of the Company from its incorporation till date as also the address of the company's registered office. For doing the needful, the petitioners are granted two weeks from the date of receipt of a certified copy of this order.

Counsel for the parties state that except the proceedings in question, the application filed by the petitioners under Order 9 Rule 13 of the Code is ripe for final adjudication. Since learned counsel for the respondents has submitted that he would not dispute the authenticity of the certified copies of the above documents and has rather consented to them being brought on record, the Rent Controller, Chandigarh, is requested to take a final decision on the application filed by the petitioners under Order 9 Rule 13 of the Code, within a period of one month from the date the above documents are placed on the record.

The petition stands disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

23.08.2017
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No