

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

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**CR-1401-2015(O&M)
Date of Decision : 15.5.2018**

Vinod Kumar and another

..... Petitioners

Versus

Gurbax Singh Gill

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. B.S.Bhalla, Advocate
for the petitioners.

Mr. N.K.Manchanda, Advocate
for the respondent.

AJAY TEWARI, J. (Oral)

On 2.5.2018 the following order was passed :-

“In this case the only issue which has been agitated by the counsel for the petitioners is that both an interim order and the order of eviction records that summons which were served upon the petitioner No.1 and his brother – petitioner No.2 (co-tenant) were not as per Section 18-A of the Act. Counsel for the respondent has however handed over a photocopy of the summons which were served upon the petitioners. A perusal of these summons reveals that they were issued as per Section 18-A of the Act because they specifically mentioned that both the petitioners had been called upon to answer the petition under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949 and were directed to file an application for leave to defend within 15 days of the receipt thereto. Obviously if this is so then the mere wrong recording in the orders that the summons were not in conformity with Section 18-A of the Act would be hardly germane.

Counsel for the petitioners seeks a short adjournment

to ascertain whether these facts are correct.

Adjourned to 09.05.2018.

To be shown in the urgent list.”

Today counsel for the petitioner has fairly accepted that the facts mentioned were correct.

In the circumstances, no fault can be found with the order of the Court below. The petition stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

15.5.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No