

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 1135 of 2018

Date of Decision : 19.02.2018

Vijay Thapar

....Petitioner

Versus

Pawan Dhanda and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gaurav Rana, Advocate
for the petitioner.

Surinder Gupta, J.

Learned counsel for the petitioner confines his submission only for grant of two opportunities by learned Rent Controller and undertakes to examine RW-1 and RW-2, whose cross-examination was deferred and produced one of the respondents as his own witness at own responsibility. He further submits that though petitioner has taken ten opportunities but in the event of evidence produced by petitioner going un-rebutted, learned Rent Controller may draw adverse inference against him.

On perusal of paper-book, I find that the case was fixed for evidence of petitioner for 15.11.2016 and thereafter, the petitioner has been taking one adjournment or the other either for producing the report of expert and then for producing the evidence.

Learned Rent Controller has counted ten effective opportunities given to petitioner for producing evidence and then was constrained to close the evidence by order. Still keeping in view the interest of justice and to provide opportunity to petitioner to produce his

evidence as per submission of learned counsel for the petitioner. This revision petition is allowed without notice to respondents in order to avoid further delay in disposal of the case and unnecessary expenses of respondents. Learned Rent Controller will provide two opportunities to petitioner to produce RW-1 and RW-2 and to examine any other witness required. However, petitioner will produce all witnesses at own responsibility. In the event of petitioner failing to conclude the evidence on two dates as awarded by the Rent Controller, no further adjournment shall be allowed.

Above concession has been given to petitioner subject to deposit of costs of ₹10,000/- with District Legal Services Authority, Ludhiana within a period of two weeks.

February 19, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No