

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

**C. R No. 1286 of 2018
Date of decision : 23.02.2018**

Gurnam Kaur
versus
....Petitioner

Lala Rama
...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Challenge in this petition is to order dated 16.02.2018 passed by learned Rent Controller, Gurdaspur, vide which the evidence of the petitioner/tenant has been closed.

At the very outset, learned counsel submits that the respondent took more than one year to conclude his evidence and his evidence was closed on 08.09.2017. Learned counsel referring to the zimini order (P-4 colly) states that the petitioner-tenant examined R.W.1 to R.W.4 in four months and on 16.02.2018, petitioner examined two witnesses and the Rent Controller passed the impugned order dated 16.02.2018 closing the evidence of the petitioner.

Learned counsel for the petitioner submits that the petitioner wants to place on record some documents and wants to examine two witnesses i.e Raghbir Singh from Income Tax department and one witness from the office of Tehsildar, Gurdaspur to prove various sale deeds executed by the respondent/Trust during the last three years.

Reference at this stage can be made to a judgment passed by

this Court in a case of *Shayam Lal vs. Bimla Kumari @ Naina Gill and anr, 2012(1) R.C.R (Rent) 510* wherein the petition filed by the petitioner for amendment of written statement under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 was allowed, subject to payment of Rs.3000/- as cost precedent.

In view of the above, order dated 16.02.2018 passed by learned Rent Controller, Gurdaspur is hereby set aside and the instant revision petition is **allowed**, subject to deposit of cost of Rs.5000/- to be paid to the respondent. and the trial Court is directed to give two effective opportunities to the petitioner to place on record some documents and to examine two witnesses i.e Raghbir Singh from Income Tax department and one witness from the office of Tehsildar, Gurdaspur.

23.02.2018

G.Arora

Whether speaking/reasoned
Whether reportable

Yes
No

(RITU BAHRI)
JUDGE