

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

(1) **Civil Revision No.2191 of 2018(O&M)**

(2) **Civil Revision No.2196 of 2018(O&M)**

**Date of Decision: April 04, 2018.**

Sanjay Mittal

**.....PETITIONER(s).**

**VERSUS**

M/s Ally Venture & Company and others

**....RESPONDENT(s).**

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. K.K. Garg, Advocate  
for the petitioner (s).

\*\*\*\*\*

**SURINDER GUPTA, J.**

This order will dispose of above captioned two revision petitions filed by revision petitioner-tenant against the order dated 16.01.2018 and 01.03.2018 passed by the Rent Controller, Bathinda.

Learned counsel for the revision petitioner fairly concedes that lapse was there on the part of counsel for the revision petitioner that he did not cross-examine the witnesses, whose examination-in-chief were recorded on 02.09.2016. Till date, despite the fact that witnesses have been appearing for cross-examination and one of the witness has been partly cross-examined on 22.08.2017 and the adjournments were being sought on one reason or the other. It is also evident from the order passed by learned Rent Controller that on 30.08.2017, 11.09.2017, 07.11.2017, 09.11.2017,

05.12.2017 and 05.01.2018, the witnesses were present in Court but not cross-examined. On 16.01.2018, the witnesses were present in the Court since morning but the counsel for revision petitioner turned up at 3.30 p.m. and sought adjournment.

Learned counsel for the revision petitioner realizing the mistake on the part of counsel for the revision petitioner in the lower Court, seeks one opportunity to cross-examine both the witnesses on the date fixed by learned Rent Controller with undertaking that he will not seek any further adjournment. He also undertakes that remaining witnesses will also be cross-examined on the date, they appear.

Keeping in view the submission of learned counsel for the revision petitioner and taking note of the facts of the case, I am of the opinion that issuance of notice to the respondents-landlord will result in unnecessary delay and expenses, as such, request of learned counsel for the revision petitioner is allowed, subject to payment of ₹10,000/- as costs to each witness (in both the petitions jointly), which will be paid to them by way of demand draft in their names on the date fixed by Rent Controller. Revision petitioner will be allowed one opportunity by the Rent Controller to cross-examine the witnesses namely Sudarshan Gupta AW1 and Rajinder Gupta AW2. In the event of both the witnesses are not cross-examined on the date fixed, no further opportunity shall be allowed to the revision petitioner.

Keeping in view the fact that this ejectment petition is pertaining to the year 2013 and is still at the stage of evidence of the landlord, direction is issued to the Rent Controller to expedite the disposal

of the case by giving short adjournments and and dispose of the same at the earliest, preferably within a period of one year from the date of receipt of copy of this order.

In view of the undertaking given by learned counsel for the revision petitioner, it is also ordered that the revision petitioner will cross-examine all the remaining witnesses on the date, they put in appearance for their cross-examination and no further opportunity in this regard will be allowed.

Disposed of accordingly.

The order has been passed in the absence of respondents. A copy of this order be conveyed to the respondents. In the event of respondents having any objection, they may file application to that effect. On receipt of the application, the same be listed for hearing.

Copy of this order be also placed in the file of other connected matter.

**April 04, 2018.**  
*Sachin M.*

**( SURINDER GUPTA )**  
**JUDGE**

***Whether speaking/reasoned:*** ***Yes/No***

***Whether Reportable:*** ***Yes/No***