

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 2214 of 2018
Date of decision:- 04.04.2018

Yash Pal

...Petitioner

Versus

Ashok Kumar

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Mohd. Yousaf, Advocate,
for the petitioner.

RITU BAHRI J. (Oral)

Challenge in this petition is to the order dated 16.03.2018 (Annexure P3) passed by the Rent Controller, Malerkotla, whereby the evidence of the respondent (petitioner in the present case) has been closed after evidence of petitioner -Yashpal and matter be listed for 28.03.2018 for arguments.

In the present case, learned Counsel for the petitioner stated that evidence of the respondents was started on 04.09.2017 and after examining RW-1 Yashpal, evidence of respondent closed by the Rent Controller vide order dated 16.03.2018 and two witnesses namely Jagroop Singh and Deepak Raj Pal remained to be examined. He further stated that on 19.02.2018, only one opportunity provided to conclude the evidence.

Heard.

Present suit has been filed by the petitioner-(respondent in the present case) under Section 13 of East Punjab Urban Rent Restriction Act, 1949. In the given circumstances of the case, to impart complete justice to the parties and also to avoid deprivation of full opportunity to the petitioner,

this Court deems it appropriate to provide some time to the petitioner to get

the service effected upon respondents namely Jagroop Singh and Deepak Raj. Moreover, it would be better to decide the suit on merits.

In view of the above, impugned order dated 16.03.2018 is set aside and trial court is directed to provide one effective opportunity to petitioner to conclude his entire evidence, subject to cost of Rs.3,000/- to be deposited with the State Legal Service Authority, Malerkotla.

04.04.2018

Riya Grover

(RITU BAHRI)

JUDGE

Whether speaking/reasoned: Yes

Whether reportable : No