

In the High Court for the States of Punjab and Haryana
at Chandigarh

CR No.3418 of 2018 (O&M)
Date of Decision:- 21.05.2018

Kawaljit Kaur

.....Petitioner

Versus

Prem Kumar

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present : Mr. Amit Jhanji, Advocate, for the petitioner.

GURVINDER SINGH GILL, J.

The landlord has filed this revision petition seeking issuance of a direction to learned Rent Controller, Jalandhar to decide his ejectment application in a fixed time frame.

Learned counsel for the petitioner has submitted that the ejectment application had been filed by the land-lady, aged 55 years who is suffering from cancer, in the year 2016 but the proceedings before learned Rent Controller, Jalandhar are being unnecessarily delayed and the matter has been adjourned repeatedly for no valid reason.

I have heard learned counsel for the petitioner and have also perused the zimni orders annexed with the revision petition.

A perusal of the zimni orders reveals that the issues had been framed on 7.9.2017 and examination-in-chief of PW-1 Jagandeep Singh was thereafter recorded on 12.10.2017 but his cross-examination was deferred. A perusal of the remaining zimni orders show that the matter was thereafter

adjourned for at least half a dozen times, either upon request of the respondent or on account of his non-availability and till date his cross-examination has not been concluded. The manner in which large number of adjournments have been given can hardly be appreciated, especially in a case of ejectment application based on personal necessity.

In this regard, observations of Hon'ble Supreme Court in **Hameed Kunju Vs. Nazim 2017(2) RCR(Rent) 150** also needs to be borne in mind which reads as follows:

“47. Before parting, we consider it apposite to observe that the object of the Rent Laws all over the State is to ensure speedy disposal of eviction cases between the landlord and tenant and especially those cases where the landlord seek eviction for his bona fide need.”

In view of the position stated above, learned Rent Controller, Jalandhar is directed to expedite the matter and endeavour to conclude the proceedings, preferably within a period of six months, from today.

It is made clear that no request for unnecessary adjournment shall be entertained.

The revision petition is disposed of.

May 21, 2018

mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No