

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

125

**CR-5245-2018 (O&M)
Decided on 6.9.2018.**

Dev Wati Gupta

...Petitioner

vs.

Ramesh jain c/o 'Band Box' and others

...Respondents.

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Sanjeeva Gupta, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed under Article 227 of the Constitution of India praying that the order dated 1.8.2018 whereby the Rent Controller dismissed the petition for ejectment be quashed on the ground that though the order was announced but the copy was not supplied in terms of the Order XX Rule 6-B of the Code of the Civil Procedure, 1908.

It is stated that on that date a short order was passed but copy was supplied much after (even after filing of the present petition) on 23.8.2018. Counsel has argued that Rule 6-B was added to the Order XX in 1999 (with effect from 1.7.2002) and as per this rule it is mandatory that if the judgment is pronounced the copy must be provided immediately. As per the counsel the judgment was not dictated and it was dictated subsequently. In the first place, there was no occasion for having come to this Court under Article 227 of the Constitution of India as this point could well be taken in appeal.

Secondly, the mere fact that the copy was supplied on 23.8.2018 cannot lead to inevitable conclusion that judgment was not ready.

In the circumstances, the petition stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

6.9.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No