

Civil Revision No. 6123 of 2018 (O&M)

Date of decision : September 17, 2018

Satish Kumar Jain

.....Petitioner

Versus

Yogesh Mohan Singla

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Sanjay Vij, Advocate
for the petitioner.

LISA GILL, J.

The petitioner is aggrieved of order dated 01.09.2018 passed by the learned Rent Controller, Gurgaon whereby it is observed that verification of affidavit dated 22.05.2018 (Ex. RW3/A) executed by the petitioner is defective. Opportunity has been afforded to the petitioner to correct the mistake and file a fresh affidavit with advance copy to the opposite party.

Heard, learned counsel for the petitioner.

The petitioner is the tenant – respondent in the petition filed by the respondent under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973. The respondent filed his affidavit (Ex.RW/A) to be read in evidence. An objection was raised that the verification being defective the same cannot be read into evidence. Learned Rent Controller vide impugned order observed that the defect is curable, therefore, the present petitioner was afforded liberty to file a fresh affidavit.

It is not denied that the defect, as mentioned in the impugned order, is very much present. Each page of affidavit (Ex.PW3/A) is not even signed by the petitioner. Learned counsel for the petitioner is unable to point out any illegality or infirmity in the impugned order, which calls for

interference in exercise of revisional jurisdiction.

Petition is, accordingly, dismissed.

September 17, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No