

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Civil Revision No. 6627 of 2018(O&M)

Date of Decision: November 15 , 2018.

Sonu Grover

..... PETITIONER (s)

Versus

Sanjay Aggarwal and others

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. G.C.Shahpuri, Advocate
for the petitioner.

Mr. Tarunvir Singh Lehal, Advocate
for respondent No.1.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner is aggrieved of order dated 19.09.2018 (Annexure P5) passed by the learned Rent Controller, Jagadhri whereby evidence of the petitioner has been closed by order.

Learned counsel for the petitioner submits that it was respondent No.1 who had sought various opportunities for cross-examination of the witnesses. It is submitted that affidavit of the witness Satpal (RW4) already stands tendered. The present petitioner (RW2) and his father Harnam Dass

(RW3) have since testified. It is submitted that the petitioner had tendered his affidavit on 04.02.2017 in examination-in-chief but the respondent/landlord completed his cross-examination on 05.09.2018 after availing a number of opportunities. Pursuant to certain suggestions/assertions put forth during the cross-examination of the petitioner, it was found necessary to examine the Chief Booking Supervisor, Northern Railways, Railway Station, Jagadhri. Application was moved on 18.09.2018 and diet money was deposited on 19.09.2018. The learned Rent Controller in an unjustified manner closed the petitioner's evidence on 19.09.2018 even as cross-examination of RW4 Satpal was to be conducted and the official witness had to be summoned. The said witness is extremely relevant for the just adjudication of the case. The petitioner seeks two effective opportunities.

Learned counsel for the contesting respondent No.1 does not raise any serious objection thereto, but submits that the petitioner be put to appropriate terms.

Keeping in view the facts and circumstances of the case and the specific stand taken by respondent No.1, order dated 19.09.2018 passed by the learned Rent Controller, Jagadhri is set aside.

This petition is disposed of with a direction to learned Rent Controller, Jagadhri to afford two effective opportunities to the petitioner to examine the Chief Booking Supervisor, Northern Railways, Railway Station, Jagadhri as well as cross-examination of RW4 Satpal, subject to payment of ₹10,000/- as costs to respondent No.1 on or before the next date of hearing fixed before the learned Rent Controller, Jagadhri after receipt of certified copy of this

order.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present revision petition.

November 15 , 2018.
'om'

(**LISA GILL**)
JUDGE

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