

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CR-6981-2018

Date of decision : 12.10.2018

Dr.Jyotsna Arora

... Petitioner

Versus

Smt. Kamal Sachdeva and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.G.P. Singh, Advocate
for the petitioner.

AMOL RATTAN SINGH, J.(ORAL)

Mr. G.P. Singh, learned counsel for the petitioner, submits that the additional evidence that he wished to lead before the learned Rent Controller was simply in the form of a judgment and decree passed by the Civil Court, in two suits filed by the petitioner, one against the present respondents and one against the Municipal Council, Rewari, both of which were actually dismissed, with the petitioner therefore simply to point out the stand of the respondents in those civil suits, the petitioner also having filed an appeal against such judgements, with the grounds of appeal also sought to be placed on record.

On specific query, Mr. G.P. Singh, has stated that the petitioner does not wish to examine any witnesses at all in respect of aforesaid evidence, with simply the judgments and decrees and grounds of appeal to be placed on record.

In view of the statement, even without issuing notice, the petition is allowed to the extent that the judgments and decrees of the

learned Civil Court in the aforesaid two suits, as also grounds of appeal, shall be allowed to be taken on record as evidence, with however no witnesses further to be examined by the petitioner and with it also being made absolutely clear that this Court while passing this order has not made any comment whatsoever on the merits of the petition pending before the learned Rent Controller, and even the fact that the appeal has been filed against dismissal of the petitioners' two suits, would have no bearing on the petition seeking the petitioners' eviction, the aforesaid suits being only those seeking decrees of permanent injunction.

It is to be noticed that this order also being passed on the contention of learned counsel that in fact even after the petitioner herein closed her evidence, 14 opportunities were taken by the respondents (petitioners before the Rent Controller) to lead evidence in rebuttal and for arguments and therefore, the petitioner cannot be accused of causing a delay.

(AMOL RATTAN SINGH)
JUDGE

October 12, 2018.

D.K./dinesh

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No