

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

--

CR 7557 of 2015 (O&M)

Date of decision: 26.04.2018

Narinder Singh Sahari

..... Petitioner

Versus

Narinder Kaur and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. G S Sirphiki, Advocate
for the petitioner

Mr. R D Bawa, Advocate
for respondent No. 1

-.-

Rekha Mittal, J. (Oral)

The present petition directs challenge against order dated 01.10.2015 (Annexure P5) passed by the Rent Controller, Batala whereby application filed by the petitioner for setting aside ex parte proceedings has been dismissed.

Counsel for the petitioner would inform that the petitioner (arrayed as respondent No. 3 in the application for eviction) is not in occupation of property in question. However, counsel for the parties are ad idem that the present petition may be disposed of by way of modification of the impugned order to the following effect:-

- (i) The petitioner shall be entitled to file the written statement;
- (ii) The petitioner shall not be entitled to recall the witness (es) already examined by Dr. (Smt.) Narinder Kaur, respondent/landlady; and
- (iii) The petitioner shall be entitled to lead his evidence after closing of evidence of the respondent/landlady.

Disposed of accordingly.

(Rekha Mittal)
Judge

26.04.2018
mohan bimbira