

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

106

CR-7198 of 2017 (O&M)
Date of Decision : 09.05.2018

Prithipal Singh

..... Petitioner

Versus

Sarabjot Singh & anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. Ravi Kant Sharma, Advocate
for the petitioner.

Mr. Baljeet Singh, Advocate
for the respondents.

AJAY TEWARI, J. (Oral)

On 13.10.2017 the following order was passed :-

“Petitioner (tenant) is in revision directed against the order dated 22.09.23017 (P-3) passed by the Rent Controller, Mohali whereby the application for summoning of two official witnesses has been dismissed.

It is contended that it is the pleaded case of the tenant that the respondents are not the owners of the property and thus not the landlords. Therefore, to substantiate that plea, the petitioner (tenant) is entitled in law for summoning the said two official witnesses from the office of GMADA.

Notice of motion for 16.12.2017.

Till the next date of hearing, further proceedings shall remain stayed.”

Learned counsel for the respondents states that the petitioner had summoned two witnesses one from Mohali and one from Amritsar and in his estimation atleast the testimony of the person summoned from Amritsar would not be relevant and in case the petitioner is willing to make this concession he would have no objection if the petitioner summons the witness from Mohali to give whatever deposition is required.

Learned counsel for the petitioner states that he would have no objection to this course of action.

In the circumstances, the impugned order is modified to the extent that the petitioner would be entitled to summon the official witness from Mohali and would not seek to summon the witness from Amritsar.

Petition stands disposed of.

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

May 09, 2018
Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No