

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

**Civil Revision No.7577 of 2018 (O&M)
Date of Decision:November 12, 2018.**

Arvind Gupta and another

.....PETITIONER(s).

VERSUS

Shri Satya Narain Bhagwan Trust and another

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ajay Jain, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

Learned counsel for the petitioners submits that vide application dated 16.07.2018, petitioner had sought production of the original document, copy of which was produced as Ex.R4 vide which property on the southern side of shop No.2779 was vacated and possession was handed over to landlord in the year 2003. In reply, the respondents stated that aforesaid original document is not traceable despite best efforts. In the alternative, petitioners have sought permission to lead secondary evidence to prove said document. However, learned Rent Controller has not passed any order on this relief sought by the petitioner-tenant.

I have perused operative part of the order dated 23.10.2018 passed by learned Rent Controller, Rewari contained in para 5 and find that despite taking note of the fact that petitioner had sought permission to prove above document (Ex.R4) by way of secondary evidence, no order was

passed allowing or declining this relief.

Keeping in view the above, this petition is disposed of with direction to the Rent Controller to pass specific order on the relief sought by the petitioner to prove document (Ex.R4) by way of secondary evidence.

The order has been passed in the absence of respondents to avoid unnecessary delay and expenses. A copy of this order be conveyed to the respondents. In the event of respondents having any objection, they may file application to that effect. On receipt of the application, the same be listed for hearing.

November 12, 2018.
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***