

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

108

**CR-8450-2018 (O&M)
Date of Decision : 14.12.2018**

Baldev Raj

..... Petitioner

Versus

Deepak Bhandari and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Divanshu Jain, Advocate
for the petitioner.

Mr. Sandeep Sharma, Advocate
for the caveator-respondent No.1.

AJAY TEWARI, J. (ORAL)

This petition has been filed against the order dated 14.11.2018 declining an application moved by the petitioner-tenant to permit him to take a draftsman and a photographer to the building where the petitioner is a tenant so that he can illustrate that the area in possession of the landlord is more than sufficient and that the landlord can easily open the office.

Notice of motion.

Mr. Sandeep Sharma, Advocate has accepted notice on behalf of the respondent No.1.

Counsel for the petitioner has argued that the evidence which the petitioner wants to lead can cause no prejudice to the respondent – landlord.

Counsel for the respondent No.1 is not in a position to show how the evidence which the petitioner wants to lead would cause prejudice to the case of the respondent No.1.

In the circumstances, the petition is allowed and the impugned order is set aside. The petitioner is granted permission to take draftsman and a photographer to the site to enable him to lead evidence about the adequacy/inadequacy of the area in the possession of the landlord.

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

December 14, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No