

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

**Civil Revision No.7770 of 2018 (O&M)  
Date of Decision: 30.05.2019**

Dr. Harjeet Singh

**..... Petitioner**

**VERSUS**

Sanjeev Walia & Co.

**..... Respondent**

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

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

Mr. Nitin Thatai, Advocate,  
for the respondent.

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**JAISHREE THAKUR, J.(Oral)**

1. The instant revision petition has been filed under Article 227 of the Constitution of India seeking to impugn the order dated 12.10.2018 passed by the Rent Controller, Ludhiana whereby an application filed by the respondent-tenant under Section 38 of the Punjab Rent Act, 1995 for grant of leave to contest has been allowed.
2. Learned counsel appearing on behalf of the landlord-petitioner contends that the impugned order is in fact a non-speaking order as no detailed reasons are forthcoming as to why the application filed by the tenant seeking leave to contest has been allowed. It is contended that apart from noticing the contentions as raised by both

the parties, no reasons have been recorded therein.

3. Notice of motion was issued and appearance has been caused on behalf of the respondent-tenant, who vehemently argues that the Rent Controller has taken all points into consideration while allowing the said application for leave to contest.

4. I have heard learned counsel for the parties and have perused the impugned order dated 12.10.2018 and find merit in the contentions raised by learned counsel for the petitioner. The Rent Controller, apart from reproducing the facts in the ejectment petition, the application filed for leave to contest and reply thereto, has not given any cogent reasons as to why he is allowing the leave to contest under Section 24(3) of the Punjab Rent Act, 1995. In such a situation, this Court has no option but to remand the matter back to the Rent Controller, Ludhiana to decide the matter afresh. Order dated 12.10.2018 is hereby set aside and the matter is remanded back to the Rent Controller, Ludhiana with a direction to re-decide the application for leave to contest by taking into consideration the reply filed thereto. It is expected that the matter would be decided expeditiously, preferably within a period of two months from the date of receipt of certified copy of this order.

Revision petition stands disposed of accordingly.

**30.05.2019**  
*Satyawan*

**(JAISHREE THAKUR)**  
**JUDGE**

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|---------------------------|------|
| Whether speaking/reasoned | Yes. |
| Whether reportable        | No.  |