

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Civil Revision No. 864 of 2019

Date of Decision: March 01 , 2019.

Naib Singh PETITIONER (s)

Versus

Makhan Lal Singla RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Kashish Garg, Advocate
for the petitioner.

Mr. Abhinav Gupta, Advocate
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This petition has been filed by the petitioner-tenant for setting aside orders dated 14.12.2018 and 24.01.2019 passed by the learned Rent Controller, Bathinda.

Brief facts of the case are that, eviction petition under Section 13 of the East Punjab Urban Rent Restriction Act was filed by the respondent-landlord seeking eviction of the petitioner from the demised premises i.e., a shop as described in the petition. After evidence of the respondent-landlord was led,

opportunity was afforded to the petitioner-tenant for leading his evidence. Petitioner's evidence was closed by order on 14.12.2018 (Annexure P6), whereby it is noticed by the learned Rent Controller that a new counsel had appeared on behalf of the petitioner and sought an adjournment. However, as the previous counsel had already availed a number of opportunities, the petitioner's evidence was closed by order. An application for recalling of order dated 14.12.2018 was moved. One single opportunity was sought by the petitioner to lead his entire evidence. It is not denied that at that point of time, one witness, namely, Sham Singh remained to be examined.

Learned Rent Controller vide order dated 09.01.2019 (Annexure P7) allowed the petitioner's application and afforded one opportunity to the petitioner for concluding his evidence. Said witness Sham Singh was duly examined. However, another application dated nil (Annexure P1) was moved seeking permission to examine some other witnesses. This application was dismissed by the learned Rent Controller vide impugned order dated 24.01.2019 (Annexure P11). Aggrieved therefrom, the present revision petition has been filed.

Learned counsel for the petitioner-tenant, during the course of the arguments, restricted his prayer for examination of the Clerk/Record Keeper of the Municipal Corporation, Bathinda alongwith the record and the file of the sanctioned plan of the building complex as well as the record regarding the House Tax assessment/property documents (Ex.R41, Ex.RY). It is submitted that the petitioner seeks to prove that the respondent-landlord is in possession of a number of other shops and godowns.

Per contra, learned counsel for respondent-landlord submits that the

documents in question stand admitted, therefore, this application has been moved only with a view to delay the proceedings.

Having heard learned counsel for the parties and going through the file, I do not find any ground, whatsoever, to interfere in the impugned orders. The documents in question are admitted by the respondent-landlord. There is no occasion for allowing the application (Annexure P10) moved by the petitioner, at this stage.

There is no illegality, perversity or infirmity in the impugned orders dated 14.12.2018 and 24.01.2019 passed by the learned Rent Controller, Bathinda which calls for interference by this Court in exercise of revisional jurisdiction.

Revision petition is accordingly dismissed.

March 01 , 2019.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No