

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

**CR NO.1435 OF 2019
Date of Decision:13.03.2019**

Kashmiri Lal Singla

....Petitioner

Versus

Kiran Goyal

.....Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.Nitish Garg, Advocate for the petitioner.
Mr.Abhinav Gupta, Advocate for the respondent.

JAISHREE THAKUR, J.(ORAL)

This is the petition that has been filed under Section 15(5) of the East Punjab Rent Restriction Act, 1949, seeking to challenge an order dated 14.02.2019 wherein the Rent Controller closed the evidence of the respondent and fixed the case for arguments. It is contended that the Rent Controller by an order dated 11.10.2018 had allowed the application of the petitioner/respondent to take draftsman and photographer to enter, inspect, measure and to take photographs of the buildings in the possession of the landlady.

2. The petitioner herein wanted one opportunity to examine Mr.Vicky Yadav, the photographer who would have taken the photographs of the premises sought to be inspected by a draftsman and the evidence of the petitioner had been closed by impugned order.

3. Learned counsel appearing on behalf of the respondent/landlady submits that pursuant to the order giving permission to

the petitioner/ tenant to inspect the premises alongwith draftsman and photographer, only a draftsman visited the site and prepared his site plan. Thereafter, the petitioner herein cross-examined him and in the cross-examination he clearly stated that no photographer was present.

3. On the asking of the Court, the counsel for the petitioner has not been able to state whether or not a photographer visited the premises. I have heard both the counsel for the parties and in view of the fact that there is a cross-examination of the draftsman available on record before this Court that he alone visited the disputed premises and no photographer was present, the question of allowing Mr.Vicky Yadav to be summoned as a witness would not arise.

4. Finding no merits in the instant petition, the same is dismissed.

(JAISHREE THAKUR)
JUDGE

13.03.2019

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