

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-5942-2019 (O&M)

Date of decision: 20.09.2019

Sunil Kumar Gambhir

...Petitioner

Versus

Raminder Singh Sethi and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Piyush Kant Jain, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

1. This Civil Revision has been filed under Article 227 of the Constitution of India read with Section 15(5) of the East Punjab Urban Rent Restriction Act, 1949 seeking a direction to be issued to the Rent Controller to decide the eviction petition bearing RP No.522 of 2015 expeditiously and within a specified time frame.

2. The petitioner herein is aggrieved against the inordinate delay and the repeated adjournments which have been granted by the Rent Controller.

3. A perusal of the pleadings would reflect that a Rent Petition was filed on 23.07.2015 and issues were framed on 03.03.2016 which was almost 3½ years ago. However, the matter has not reached to any final

conclusion. Despite the fact that issues had been framed as far back as 2016, the respondents herein have filed an application for amendment of the written statement which is pending consideration and several adjournments have been sought thereafter.

4. Counsel for the landlord who has sought eviction on the ground of personal necessity places reliance upon the Punjab and Haryana High Court Case Flow Management Rules, 2007 (hereinafter referred to as 'Rules of 2007') which would clearly depict that the rent petitions on the ground of personal necessity including petitions filed by specified landlords and Non-Resident Indians, are to be treated as matter to be decided on a Fast Track with a further stipulation that all efforts should be made to decide the cases placed in the category of Track I (Fast Track) within a period of 6 months.

5. I have heard learned counsel for the petitioner and find that the grievance of the petitioner is justified. No doubt, the Rules of 2007 have been promulgated to put rent petitions filed on the ground of personal necessity under the Track I (Fast Track) category, which Rules necessarily should be complied with. A perusal of the interim orders having been passed would reflect that the matter is being adjourned unnecessarily.

6. This petition is being disposed of in limine with a direction to the Rent Controller to dispose of the Rent petition expeditiously keeping in mind that this is a case which ought to be decided on a Track I (Fast Track).

20.09.2019

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.