

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

CR No.6163 of 2019 (O&M)

Date of Decision: October 29, 2019

Prithvi Pal Singh (since deceased) through his LR

...Petitioner

Versus

Prakashwati (since deceased) through her LRs and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. A.P.S. Sandhu, Advocate
for the petitioner.

Ms. Manisha Gandhi, Senior Advocate with
Mr. Suvineet Sharma, Advocate
for respondents No.1 and 2.

JAISHREE THAKUR, J. (Oral)

1. This is a civil revision that has been filed under Article 227 of the Constitution of India for setting aside the order dated 16.09.2019 passed by the Rent Controller whereby, the application filed by the petitioner under Order 18 Rule 3A CPC has been dismissed.

2. In brief, the facts are that an ejectment application came to be filed before the Rent Controller, Amritsar by Smt. Parkash Wati and another on the grounds of subletting and non-payment of rent in the year 1987. The petitioner herein, who is alleged to be a tenant, had moved an application under Order 18 Rule 3A CPC seeking permission to examine himself after the official witness namely Parveen Kumar, Junior Assistant office of

Assistant Excise and Taxation Commissioner, Amritsar had been examined with the record. This application was dismissed by the impugned order, which has led to the filing of the instant civil revision.

3. Learned Senior counsel appearing on behalf of respondents No.1 and 2 very fairly submits that there would be no objection, in case, the civil revision is allowed, however, submitted that necessary directions should be given to the Rent Controller to decide the case in a time bound fashion, as the ejectment application is pending since 1987.

4. I have heard counsel for the parties and on the basis of the statement that has been made in the court on behalf of respondents No.1 and 2, the impugned order is hereby set aside. As this court is informed that the official witness Parveen Kumar is bound down for 31.10.2019 before the Rent Controller, let his statement be recorded on the date already fixed, giving one more effective opportunity to the petitioner to complete his evidence on the adjourned date. It is made clear that thereafter petitioner herein would not be permitted any further adjournments in the said matter, considering the fact that the ejectment application is pending since 1987. The Rent Controller, Amritsar is directed to make an endeavour to conclude the matter as expeditiously as possible.

5. The civil revision stands allowed with the aforesaid directions.

October 29, 2019

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No