

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-2066-2020

Date of Decision: 22.07.2020

Surjit Singh

....Petitioner

Versus

Vijay Kumar Mahajan and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Gursher Singh Bhandal, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL).

Challenge in the present petition is to the order dated 12.03.3030 (Annexure P.1) passed by the Rent Controller, Kharar, vide which evidence of the petitioner has been closed and the case was fixed for rebuttal evidence.

Learned counsel for the petitioner contends that earlier also the evidence of the petitioner had been closed vide order dated 22.01.2020 and the said order having been challenged before this Court by way of CR-616-2020, this Court, vide order dated 28.01.2020, while disposing of the revision petition, had granted the petitioner one opportunity to examine RW-3, subject to payment of costs of Rs.10,000/- payable to the respondent (rent petitioner). He very fairly concedes that despite such opportunity, the petitioner could not examine himself, leading into the closure of his evidence vide the order impugned herein.

Notice of motion is not being issued as the same would unnecessarily delay the proceedings before the Rent Controller.

Though in normal circumstances, in the face of the order dated 28.01.2020 passed by this Court, no further indulgence is required to be granted to the petitioner yet keeping in view the settled principles that it is always better to have the entire evidence recorded before deciding a lis, I deem it appropriate to grant one last opportunity to the petitioner to examine himself (as RW3), subject to payment of Rs.25,000/- as costs payable to rent petitioner-Vijay Kumar Mahajan. It is made clear that the petitioner shall conclude his entire evidence on the date fixed before the Rent Controller and in no case, any further opportunity shall be granted to the petitioner. It is further made clear that failure of the petitioner to abide by the directions issued, his evidence shall stand closed.

With the said observation, the present revision petition stands disposed of.

22.07.2020
ds

(HARNARESH SINGH GILL)
JUDGE

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