

**119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-803-2021(O&M)

Date of decision:06.04.2021

Sachin Singla

.....Petitioner

Versus

Rajeev Garg and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Dr. Rau P.S.Girwar, Advocate for the petitioner

ANIL KSHETARPAL, J. (ORAL)

This revision petition has been filed by the tenant assailing the correctness of the order dated 12.02.2021 passed by the appellate authority, while dismissing an application for correction of the alleged typographical error in the grounds of appeal. Since the petitioner failed to pay the rent as assessed by the court, he was ordered to be evicted by the Rent Controller vide an order dated 03.12.2018 passed by the Rent Controller. He filed an appeal, but styled it as an appeal against a counter claim whereas there was no counter claim in the eviction petition. The appeal is alleged to have been filed in December, 2018. The petitioner filed an application on 25.05.2019 for correction. Learned appellate authority has dismissed the application on the ground that the error is not on account of a typographical error.

It is not in dispute that the appeal is pending before the appellate authority.

Keeping in view the aforesaid facts, this Court is not

inclined to exercise its jurisdiction under Article 227 of the Constitution of India, however, it is expected that the appellate authority would proceed and decide the appeal by taking a pragmatic view.

Disposed of.

06.04.2021

rekha

Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE