

111 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-3014-2021 (O&M)

CM-13322-CII-2021

Date of Decision: 30.11.2021

RAJESH GUPTA

....Petitioner

Versus

KULWANT SINGH

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vaibhav Sehgal, Advocate
for the petitioner.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

CM-13322-CII-2021

Civil Misc. Application is allowed, as prayed for. Annexures
P-1 to P-6 are taken on record, subject to all just exceptions.

Main case

Present revision petition is to set aside the order dated
16.11.2021 (Annexure P-6) passed by learned trial Court in case R.P. No.14
of 2017, whereby, the application moved by the petitioner for placing on
record certain documents has been dismissed.

2. Learned counsel for the petitioner submits that the respondent
filed an Ejectment Petition under Section 13-B of the East Punjab Urban
Rent Restriction Act, 1949 and later on, by amending the same, it was
converted into a petition under Section 24 of the Punjab Rent Act, 1995. The
petitioner filed an application seeking leave to contest and before decision
on the same, he moved an application to place on record certain documents
i.e. the photographs of the constructed area, showing the portion which is
lying vacant and has been concealed and also the site plan, which were

relevant for the adjudication of said application but the same was dismissed by the learned trial Court vide impugned order dated 16.11.2021.

3. I have heard learned counsel for the petitioner and gone through the case file.

4. No notice is required to be issued as no prejudice would be caused to the respondent as the case is at a preliminary stage. In the interest of justice, one opportunity will be given to the petitioner to place on record the documents, failing which, the documents sought to be placed on record shall not be entertained.

5. Disposed of with costs of Rs.10,000/- and the documents are allowed to be placed on record.

6. By way of imposition of costs, the petitioner shall plant 100 trees of deciduous and perennial in nature, of any variety viz. Neem, Amla, Gulmohar and/or Alstonia, in the neighbourhood of his shop i.e. Gobind Nagar, Civil Lines, Ludhiana. Plantation shall be carried out under the supervision of the District Horticulture Department. In case, the petitioner defaults in doing so, liberty is granted to the Registry to place the matter before this Court to report non-compliance thereof. Proof of plantation to be furnished by the petitioner in the Registry of this Court, along with supporting letter from the horticulture department, to be placed before this Court upon receipt thereof.

November 30, 2021
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No