

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

268-2

**CR-3796-2016 (O&M)
Date of decision: 30.11.2022**

Vijay Kochhar

.....Petitioner

Versus

Jaskiranjit Kaur

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gulzar Mohd., Advocate
for the petitioner.

Mr. Ashwani Talwar, Advocate and
Mr. Sehaj Mahajan, Advocate
for the respondent.

MANJARI NEHRU KAUL, J. (ORAL)

Learned counsel appearing for the petitioner at the outset submits that the Rent Controller erred in directing the eviction of the petitioner consequent to the dismissal of his application for leave to defend. Therefore, a prayer has been made to remand the matter back to the Rent Controller for deciding it afresh. In support, learned counsel has placed reliance upon CR No.3509 of 2014.

Learned counsel appearing for the respondent has not opposed the prayer made by the counsel opposite to remand the matter back to the Rent Controller.

I have heard learned counsel and perused the relevant material on record.

In view of the fact that the eviction order was passed simultaneously with the order declining the leave to defend coupled with no objection given by the learned counsel for the respondent before this Court, the instant revision petition is disposed of and the

impugned order dated 07.04.2016 is set aside.

The case is remanded back to the Rent Controller concerned for deciding it afresh in accordance with the provisions of law.

Parties are directed to appear before the Rent Controller concerned on 16.01.2023.

30.11.2022

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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