

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

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**CR-8207-2018(O&M)
Date of Order:25.03.2022**

DAVINDER MOHAN VADERA(SINCE DECEASED) THROUGH LRS

..Petitioner

Versus

AMRINDER SINGH ALIAS APPU AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Parminder Singh, Advocate
for respondent No.1.

None for respondent No.2 and 3.

ANIL KSHETARPAL, J(Oral)

The petitioner is a tenant. During the pendency of the petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949, the evidence has been closed vide order dated 20.08.2018.

On 03.12.2018, while issuing notice of motion, final order was stayed. This revision petition has come up for hearing after a period of more than three years. In the ejectment petition, the respondent seeks eviction of the petitioner from the demised shop.

The learned counsel representing the petitioner contends that the additional issue was framed on 23.07.2018, and the Court closed his evidence on 20.08.2018.

As per the additional issue framed by the Court on 23.07.2018, the petitioner is required to prove as to whether the landlord had concealed certain material facts.

In such situation, the Rent Controller ought to have granted sufficient time to the petitioner to conclude his evidence.

As already noticed, the petitioner's evidence has been closed within 27 days from the date of framing of additional issue.

The petitioner has also filed an application under Order 11 Rule 14 CPC for direction to the respondent-landlord to produce his bank passbook as well as Income Tax Return. Sh. Parminder Singh, Advocate, submits that the respondent is not a Income Tax payee, however, he will produce his bank account statement before the next date of hearing.

Consequently, the revision petition is allowed and the order dated 20.08.2018, is set aside.

The Rent Controller is directed to provide two opportunities to the petitioner to conclude his entire evidence within a period of one month, from the date, the landlord produces his bank passbook or bank account statement in the Court of Rent Controller.

With all these observations, the Revision Petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

March 25th, 2022

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(ANIL KSHETARPAL)
JUDGE

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