

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 505 of 2022 (O&M)

Date of Decision: 04.05.2022

Daljit Singh Sandhu

... Petitioner(s)

Versus

M/s Bhatia Electronics

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sharad Mehra, Advocate
for the petitioner(s).

Mr. Vivek Salathia, Advocate
for the respondent.

Anil Kshetarpal, J.

1. The petitioner herein is a landlord. He has filed the petition under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949. The case is at the initial stage. His application for permission to correct the caption of the petition has been dismissed.

2. In substance, the petitioner claims that he should have filed a petition under the Punjab Rent Act, 1995, which has superseded the previous Act, namely the East Punjab Urban Rent Restriction Act, 1949. The Rent Controller has dismissed the application.

3. The petitioner claims eviction of the respondents on the ground of bonafide necessity as he is a Non-Resident Indian. The aforesaid ground is also available under the 1995 Act.

4. Keeping in view the aforesaid facts, the present revision petition is allowed. The order, under challenge, is set aside. Let the petitioner

file an amended petition. The respondent is stated to have already filed an application for leave to defend. After the amended petition is presented, the respondent shall be granted an opportunity to file a fresh application for leave to defend, within a period of 15 days from today.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

May 04, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No