

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

CR-970-2022 (O&M)

Date of decision: 21.03.2022

Gangalal

....Petitioner

Versus

Rajender Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.K.Tripathi, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

The petitioner is a tenant. He is defending before the Rent Controller an eviction petition filed under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973. As he has failed to lead any evidence despite four opportunities, the Rent Controller forfeited his right to lead further evidence. It has been noticed that the first opportunity was granted on 26.10.2021 whereas the second opportunity was granted on 09.11.2021. After granting another opportunity on 26.11.2021, the impugned order was passed on 06.12.2021. It is evident that the petitioner has been granted four opportunities within a period of 1 ½ month, itself.

The eviction petition was filed in the year 2019. Learned counsel representing the petitioner contends that due to COVID-19 pandemic, he could not lead his evidence.

Keeping in view the aforesaid facts, this Court is of the considered view that the petitioner is required to be granted yet another opportunity to lead his entire evidence. Ordered accordingly. The Rent

Controller shall grant one more opportunity to the petitioner to lead his entire evidence, however, subject to the payment of Rs.10,000/- as costs, which shall be a condition precedent. The costs imposed above shall be paid to the landlord.

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

21.03.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE