

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

CR No.2117 of 2022 (O&M)

Date of decision: 22nd August, 2022

Prabhveer Singh

... Petitioner

Versus

Simardeep Singh

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. R.S. Bajaj, Advocate for the petitioner.

Mr. Ajaivir Singh, Advocate for the respondent.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner tenant is impugning the order dated 21.04.2022 (Annexure P6) passed by the learned Rent Controller, Jalandhar whereby eviction petition filed by the respondent landlord under Section 24(3) of the Punjab Rent Act, 1995 (hereinafter referred to as, 'the Act') has been allowed.

Learned counsel for the petitioner inter alia contends that the impugned order deserves to be set aside to the extent whereby his eviction was ordered from the demised premises before the expiry of the mandatory period of ten days for review as provided under Section 38(7)(e) of the Act. He submits that had it not been in the impugned order, he would have availed the remedy of review before the Rent Controller.

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

In the circumstances, the matter is remanded back to the Court of learned Rent Controller (NRI Court), Jalandhar. Learned counsel for the petitioner undertakes that the petitioner would appear before the Rent Controller on 03.10.2022 on his return from Canada. Learned counsel also submits that on his appearance before the Rent Controller on 03.10.2022, he shall move an appropriate application for review. In that eventuality, the Rent Controller shall entertain the application moved by the petitioner as per mandatory requirement of Section 38(7)(e) of the Act.

The petition stands disposed off in those terms.

(MANJARI NEHRU KAUL)
JUDGE

August 22, 2022

rps

Whether speaking/reasoned Yes/No

Whether reportable Yes/No