

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

145

CR-3498-2022

Date of decision: 30.08.2022

RANI

..Petitioner

Versus

WASIM AKHTAR AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The petitioner herein is a tenant. The landlord's petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949, seeking his eviction from the suit property is pending before the Rent Controller. An application filed by the petitioner for recall of the landlord for further cross-examination has been dismissed. The correctness of the aforesaid order has been assailed in the present revision petition.

The learned counsel representing the petitioner contends that the landlord has started running his business from another premises and therefore, the landlord is required to be further cross-examined.

Further cross-examination of a witness can be allowed only in rare and exceptional cases. The tenant is well within its right to lead evidence in support of its defence taken in the written statement. However, no ground to recall the landlord for further cross-examination is made out.

Hence, dismissed.

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

August 30th, 2022

**(ANIL KSHETARPAL)
JUDGE**

Ay

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*