

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 3050 of 2021 (O&M)

Date of Decision: 21.02.2022

Jasber Singh and Another

... Petitioner(s)

Versus

Surinderjit Singh and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sumeet Goel, Senior Advocate
with Mr. Samir Rathaur, Advocate
for the petitioner(s).

Mr. Dharamvir Sharma, Senior Advocate
with Mr. Manbir Singh, Advocate
for the respondents.

Anil Kshetarpal, J.

1. The landlord assails the correctness of the order dated 08.10.2021, passed while granting leave to contest in a petition filed by the alleged Non-Resident Indian under Section 13(B) of the East Punjab Urban Rent Restriction Act, 1949.

2. The learned senior counsels representing both the sides, after arguing for some time, have come to a consensus to the effect that the Rent Controller, Chandigarh, shall pass a fresh order after considering the pleadings and the grounds taken in the application for leave to contest.

3. After going through the order, this Court is of the considered view that the Rent Controller is required to take into consideration the pleadings and the documents, available on the file including the grounds

taken for seeking leave to defend, before passing an order granting leave to

contest. The Court is also required to examine the *ratio decidendi* of the judgments of the case laws cited before relying upon the same.

4. With the observations made above, the present revision petition is disposed of.

(Anil Kshetarpal)
Judge

February 21, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No