

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

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**CR No. 4472 of 2022 (O & M)
Date of decision : 17.10.2022**

Kewal Krishan

.....Petitioner

Vs.

Kaushalya and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Vaibhav Sehgal, Advocate, for the petitioner

TRIBHUVAN DAHIYA, J. (Oral)

This revision petition has been filed under Article 227 of the Constitution of India for issuing directions to the Rent Controller, Ludhiana, to decide the rent petition bearing No. 458 of 2019 in a time bound manner, preferably within a period of six months.

Perusal of the short orders placed on record as Annexure P-2, shows that the ejectment petition was filed on 16.10.2019. Thereafter, on 16.12.2019, the respondents/tenants were proceeded against ex-parte. The ex-parte proceedings are set aside on 18.2.2021 on a statement being suffered by petitioner/ landlord that he has no objection to set aside the ex-parte order dated 16.12.2019. Thereafter, the case kept on being adjourned till 9.8.2021, when the application filed by the respondents/tenants seeking original documents, i.e., rent note and sale deed of the demised premises was allowed. The documents were furnished, and the case was adjourned to 24.8.2021 for filing reply to the ejectment petition. Thereafter, adjournments for the purpose of filing reply were sought on 24.8.2021 and 10.9.2021. Thereupon, on 16.9.2021, another application was filed by the respondent no.2 for dismissal of the petition, *inter alia*, by disputing the relationship of landlord and tenant.

Ever since, the case is being adjourned for arguments/consideration on the said application for dismissal of the petition. Despite repeated adjournments the arguments have not been addressed by the respondents, still Rent Controller is casually granting adjournments for the purpose. Even on the last date, i.e., 15.9.2022, arguments on the application were not addressed by the respondents and the case was adjourned to 12.10.2022 and then to 14.11.2022 for the same purpose. Strangely, the adjournments are being granted despite 'last opportunity' having been granted on two dates, i.e. on 3.8.2022 and 24.8.2022.

The aforesaid facts makes it apparent that the ejectment petition filed by a senior citizen, aged 75 years, is being tried in a very casual manner. The trial Court is granting unnecessary and uncalled for adjournments merely on asking of the respondents. This is not the manner in which ejectment petition is to be tried, that too of a senior citizen. The trial Court is, therefore, directed to expedite the trial and decide the respondents' application seeking dismissal of the petition on the next date of hearing, i.e., 14.11.2022, and further ensure that no unnecessary adjournment is granted to the parties during trial.

Disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

17.10.2022

Ashwani

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No