

Prem Chand**...Petitioner****Vs.****Manmohan Dass and others****...Respondents****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

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

*********MANOJ BAJAJ, J.**

This revision petition has been filed under Section 15(6) of the Haryana Urban (Control of Rent and Eviction) Act, 1973 (Haryana Act No.11 of 1973) Constitution of India for setting aside the impugned order dated 20.02.2020 passed by the Rent Controller, Ambala, whereby Rent Controller closed the evidence of the petitioner (respondents).

Learned counsel submits that the petitioner-tenant is contesting the eviction petition filed by the respondents-landlords and in order to rebut the ground that the part of the building rented out has fallen down, the petitioner wants to produce the copy of General Land Register of Ambala Cantonment to prove that the property under the tenancy is different than the property which has fallen. Learned counsel submits that no doubt various opportunities were given to the petitioner to conclude the evidence, but in case one opportunity is granted to the petitioner, the requisite evidence would be adduced. He submits that the evidence was closed on 20.02.2020 and after that application for

recalling of the order was filed and the same was also dismissed on 09.09.2022 as in between there was breakout of pandemic COVID-19.

Heard.

In view of the limited relief prayed for by the petitioner, this Court is not inclined to issue notice to the respondents, as it may cause unnecessary burden upon them. However, it shall be open for them to seek recalling of this order, in case, they feel that the petitioner has not approached this Court with clean hands.

Upon considering the submissions and the limited prayer, this Court deems it appropriate to afford one opportunity to the petitioner, to conclude his evidence on his own responsibilities.

Resultantly, the impugned order dated 20.02.2020 is set aside, and it is directed that one effective opportunity be given to the petitioner to adduce his evidence either on the date fixed or on any other date to be fixed by the Rent Controller.

Disposed of.

(MANOJ BAJAJ)
JUDGE

01.12.2022
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No