

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CR No. 7284 of 2018 (O&M)

Date of decision : 27.2.2023

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M/s Sohna Khadi Gram Udyog Mandal Trust

.....Petitioner

vs.

Umesh Kumar Juneja

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Amit Jain, Advocate for the petitioner

Mr. Sumeet Jain, Advocate for the respondent.

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H. S. Madaan, J. (Oral)

The revision petitioner, which is respondent in the ejectment petition filed by the petitioner -landlord Umesh Kumar Juneja, is feeling aggrieved by the order dated 14.8.2018, passed by learned Rent Controller, Sohna, vide which the application moved by the applicant-petitioner – landlord, for changing title of the petition so as to reflect the respondent-tenant as a trust in place of partnership firm, as originally done, was accepted, has filed the present revision petition.

Notice of the revision petition was given to the respondent – landlord in the petition, who has put in appearance through counsel.

After going through the impugned order and considering the submissions made by learned counsel for the parties, I find that there is no illegality or infirmity in the impugned order since by allowing the application, the ejectment petition would reflect the factual position, i.e. the tenant being a trust instead of a partnership firm and in the impugned order itself, the learned Rent Controller has observed that the amendment in the petition shall enable the court to dispose of the proceedings effectively. Thus it cannot be said that the Rent Controller has exercised his jurisdiction in an arbitrary or perverse manner. Therefore no ground is there to interfere with the impugned order by exercising the revisional jurisdiction by this Court.

However, it has been pointed out that the revision petitioner has not been granted any opportunity to file fresh written statement to the amended petition.

In my considered view, such opportunity ought to have been granted to the revision petitioner – tenant in the ejectment petition. Therefore, it is observed that the Rent Controller would allow the revision petitioner – tenant to file written statement to the amended petition and then the petitioner – landlord may file rejoinder/replication to the same. The Rent Controller may frame additional issues, if need be and thereafter start the proceedings.

Since it has been pointed out by learned counsel for the landlord that the proceedings before the Rent Controller remained stayed for more than four years in pursuance of the interim order passed by this Court, the Rent Controller is directed to take necessary

steps for expeditious disposal of the Rent petition, in accordance with law.

The revision petition is disposed of accordingly.

27.2.2023		(H.S. Madaan)
chugh		Judge
	Whether speaking / reasoned	Yes / No
	Whether reportable	Yes / No