

2023:PHHC:040065

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

CR-1095-2020 (O&M)

Date of Decision : 17.03.2023

Gulshan Kumar (since deceased) through LRs

....Petitioners

VERSUS

Dinesh Kumar and Another

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. S.P.S.Aulakh, Advocate for the petitioner.

Mr. Atul Aggarwal, Advocate for respondent No.1.

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ALKA SARIN, J. (Oral)

The challenge in the present revision petition is to the order dated 07.11.2019 (Annexure P-7) whereby the application filed by the petitioner for leading additional evidence has been partly allowed.

Learned counsel for respondent No.1, at the outset, states that the application for additional evidence qua bringing on record/leading evidence regarding the rent note has been dismissed. Learned counsel, on instructions, further states that he has no objection if the said application is allowed in toto.

In view of the statement made by the learned counsel for the respondent, the present revision petition is allowed. The impugned order dated 07.11.2019 (Annexure P-7) stands modified and the application for additional evidence stands allowed in toto.

Learned counsel for the respondent also states that the ejectment petition was filed in the year 2014 on the ground of personal necessity and has been unnecessarily delayed since the petitioner took 21 opportunities to lead his evidence and therefore it may be directed to be decided early. Keeping in view the request made by the learned counsel for the respondent as also the fact that the ejectment petition has been filed for bona fide necessity and is pending since 2014, the Rent Controller is requested to expedite the hearing and not to grant unnecessary adjournments in the matter.

The revision petition is accordingly allowed. Pending applications, if any, also stands disposed off.

March 17, 2023
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(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO