

2023:PHHC:159839
**131 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-3566-2023 (O&M)
Date of decision: 13.12.2023

Mohinder Singh (deceased) through LR

...Petitioner

Versus

Karam Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Chetan Bansal, Advocate for the petitioner

Mr. Sharad Mehra, Advocate for respondent no.1 and 2

ANIL KSHETARPAL, J (Oral)

1. The proceedings for eviction of the petitioner filed by respondent no.1 and 2 under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 are pending. The landlords have led their evidence. Thereafter, the case is fixed for evidence of the tenant (petitioner herein). He filed an application for allowing him to prepare a site plan of the demised premises. In substance, the petitioner claims that apart from the tenanted shop, there are other shops as well.

2. On the other hand, the learned counsel representing the respondents submits that the landlords are residing behind the shop in question.

3. The Rent Controller has dismissed the application on the ground that this application has been filed after a substantial delay.

4. Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook. After having argued at some length, the learned counsel representing the petitioner submits that he may be permitted to examine the Draftsman, in order to prove the site plan of the commercial area.

5. This Court has considered the submissions made by the learned counsel representing the parties. Once the case is fixed for petitioner's evidence, he is at liberty to lead the relevant evidence.

6. With these observations, the revision petition is disposed of.

7. All the pending miscellaneous applications, if any, are also disposed of.

13.12.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE