

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

134

CR-3759-2023 (O&M)
Date of Decision : 21.08.2023

Jagjit SinghPetitioner

Versus

Satdev SinghRespondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Ms. Nupur Sood, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

CM-13303-CII-2023

Prayer in the instant application filed under Section 151 of CPC is for preponing the date of hearing fixed in the main case i.e. 21.08.2023.

Since the main case is also listed today, the present application has been rendered infructuous.

Disposed of as having become infructuous.

CR-3759-2023

1. The instant revision petition has been filed by the petitioner under Article 227 of the Constitution of India for issuance of appropriate directions to the Court of learned Rent Controller, Ludhiana to consider and decide the rent petition bearing No.RP/228/2019 titled as 'Jagjit Singh Vs. Satdev Singh'.

2. Learned counsel for the petitioner contends that the petitioner is a senior citizen and has filed an eviction petition before

learned Rent Controller, Ludhiana wherein the provisional rent was assessed vide order dated 10.12.2019 and the said order was upheld by the Appellate Authority, Ludhiana vide order dated 26.11.2022 and the eviction petition which was preferred by the petitioner on 02.05.2019 is still pending at the stage of proposed issues. Learned counsel for the petitioner has relied upon the rules framed by this Court known as ***Punjab and Haryana High Court Case Flow Management Rules, 2007***. She submits that since the petitioner is a senior citizen of the age of 90 years and the eviction petition is also on the ground of personal necessity, therefore, the case of the petitioner would be covered under these rules under the Fast Track category. She further submits that the respondent/tenant is delaying the proceedings before the Rent Controller by unnecessarily requesting for adjournments. She has also relied upon the orders passed by this Court in ***Amar Jeet Kaur Vs. J.P.S. Chadha : 2014(1) RCR (Rent) 330*** and ***Surinder Kaur Vs. Chhinder Pal Singh : 2022 (1) RCR (Rent) 142***.

3. Learned counsel for the petitioner has also referred to the order dated 19.04.2022 (Annexure P-3) passed by the Coordinate Bench of this Court in revision petition bearing No.CR-1045-2022 filed by the petitioner on an earlier occasion wherein appropriate directions were sought to be issued to the Court of learned Additional District Judge-cum-Appellate Authority, Ludhiana to decide the appeal bearing No.RA/268/2019 titled as 'Satdev Singh Vs. Jagjit Singh' which was filed by the respondent/tenant against the order dated 10.12.2019 passed

by learned Rent Controller, Ludhiana vide which the provisional rent was assessed @ Rs.5,34,665/-. In the said revision petition, directions were issued by the Coordinate Bench of this Court to the Appellate Authority, Ludhiana to dispose of the appeal within a period of two weeks from the next date of hearing fixed before it.

4. Keeping in view the aforesaid facts and circumstances of the case, the instant revision petition is disposed of with a direction to the Court of Rent Controller, Ludhiana to decide the Rent Petition bearing No.RP/228/2019 titled as ‘Jagjit Singh Vs. Satdev Singh’ preferred by the petitioner/landlord within a period of six months from the date of receipt of a certified copy of the order.

5. Given the nature and facts of this case, this Court is not inclined to issue notice to the respondent to avoid unnecessary expenditure which he will incur for his appearance and to engage a counsel.

6. Needless to say that the respondent would be at liberty for recalling of this order by moving an appropriate application, if so aggrieved.

7. A copy of this order be sent to the Rent Controller, Ludhiana, through District and Sessions Judge, Ludhiana for necessary compliance immediately

21.08.2023

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(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No