

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

CR-3977-2023

Decided on:-17.07.2023

Jatinder Arora and another

....Petitioners..

vs.

Ratika Dewan @ Ritika Dewan and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Umesh Kumar Kanwar, Advocate,
for the petitioners.

HARKESH MANUJA J. (Oral)

1. By way of present revision petition filed under Article 227 of the Constitution of India, challenge has been made to the orders dated 06.03.2023 and 22.05.2023 passed by the learned Rent Controller, Jalandhar, whereby the defence of the petitioners-tenants was struck off followed by recording the cross-examination of respondent-landlord No.2 as partialy NIL.

2. At this stage, learned counsel for the petitioners restricts the prayer as regards the order dated 22.05.2023, while submitting that first appeal filed at the instance of petitioners-tenants against the order dated 23.01.2023 whereby the rent was provisionally assessed by learned Rent Controller is already pending and practically the order dated 06.03.2023 shall be governed by the outcome thereof.

3. I have heard learned counsel for the petitioners and gone through the paper book.

4. In the present case, vide impugned order dated 22.05.2023, the

opportunity to further cross-examine respondent No.2 being PW-1 was recorded as 'NIL' on account of conduct of the petitioners, whereby, they were trying to unnecessary delay the eviction proceedings. Although, I do not see any illegality or perversity in the order dated 22.05.2023, passed by the Rent Controller, yet, simply and purely in the interest of justice, so as to grant an opportunity to the petitioners-tenants to defend themselves effectively, one last chance is being afforded to them to cross-examine PW-1/respondent No.2, further.

5. The aforesaid exercise be concluded on the date fixed before the Rent Controller i.e. 24.07.2023 positively and no further opportunity be granted to the petitioners. However, it is made clear that the aforesaid concession granted to the petitioner shall be subject to payment of Rs.15,000/- as costs to be paid by the petitioners to respondent-landlord, before the Rent Controller on the date fixed.

6. Keeping in view the nature of proceedings, the present petition is being disposed of without issuing prior notice to the respondents, in order to avoid unnecessary delay in the proceedings, pending before the Rent Controller.

7. Petition is disposed of accordingly.

17.07.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/ No