

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

135

CR-5676-2023

Date of Decision : 16.10.2023

Gulshan Kumar

.....Petitioner

Versus

Mam Raj

.....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Dhruv Gupta, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. Challenge in the present revision petition is to the order dated 01.09.2023 (Annexure P-1) passed by learned Rent Controller, Ambala in Rent Petition No.188 of 2019 tilted as 'Gulshan Kumar Vs. Mam Raj etc.' whereby the evidence of the petitioner has been closed by Court order.

2. Learned counsel for the petitioner contends that the petitioner remained diligent in pursuing the case and 03 witnesses out of total 05 have already been examined and even on 01.09.2023 one PW namely Ms. Vandana was examined and since other 02 witnesses were not present, therefore, they could not be examined on that day. He seeks one more opportunity to conclude his evidence on the next date of hearing fixed before the Trial Court i.e. 06.11.2023.

3. I have heard learned counsel for the petitioner and perused the relevant documents.

4. Keeping in view the above factual position, it would be appropriate to grant one more opportunity to the petitioner to conclude his evidence. Consequently, the order dated 01.09.2023 passed by learned Rent Controller, Ambala is set aside and the petitioner is granted one more opportunity to conclude his evidence on the next date of hearing fixed before the Trial Court i.e. 06.11.2023 subject to payment of Rs.10,000/- as costs to be paid to the respondent.

5. The instant revision petition is allowed in the abovesaid terms.

6. Keeping in view the relief claimed in the present petition, this Court is not inclined to issue notice to the respondent to avoid unnecessary expenditure which they will incur for their appearance and to engage a counsel.

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

16.10.2023

Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No