

Versus

Rama Rani ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Hitesh Ghai, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

The petitioner has approached this Court by filing civil revision petition under Article 227 of the Constitution of India against the impugned order dated 20.09.2023 (Annexure P-13) vide which the evidence of petitioner is closed by order in rent petition bearing No. RP/7/2020 titled as ‘Rama Rani Vs. Baldev Singh’.

Learned counsel for the petitioner *inter alia* contends that it is a case of extreme hardship and he has further relied upon the discharge summary and medical history of the petitioner appended with the petition as Annexures P-11 and P-12. He further contends that the petitioner was diagnosed with Hydropneumothorax in July, 2021 and he has suffered collapsing of underlying lung parenchyma, resultantly, a surgery was performed on the petitioner at Rajender Hospital, Patiala and the petitioner is not having a good health and as such, he could not lead his evidence. Learned counsel has referred to various interlocutory orders passed by the learned Rent Controller, Jagraon and the cost(s) imposed upon the petitioner vide order dated 02.08.2023 was duly paid.

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Having heard learned counsel for the petitioner, this Court is of the view that the sufficient cause is shown by the petitioner for not submitting/leading his evidence before the learned Rent Controller, Jagraon, and the medical history available on record as Annexures P-11 and P-12 indicates precarious health condition of the petitioner.

Keeping in view the facts and circumstances of the case, the present revision petition is allowed and impugned order dated 20.09.2023 (Annexure P-13) is hereby set aside subject to payment of Rs.10,000/- as cost(s) payable to the respondent. Learned trial Court is directed to grant one more effective opportunity to the petitioner to lead his evidence.

Disposed of.

(HARPREET SINGH BRAR)
JUDGE

13.10.2023

Neha

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