

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR No.7241 of 2023

Date of Decision: 01.12.2023

Satpal

...Revisionist-Petitioner

Versus

Mona Sood

...Respondent

CORAM: ***HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Ms. Shivya Sehgal, Advocate
 for the revisionist-petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

By filing the instant revision petition under Article 227 of the Constitution of India, the petitioner-tenant (here-in-after to be referred as 'the tenant') has assailed the order (Annexure P-4) passed by learned Civil Judge (Junior Division), Ludhiana (for short 'the trial Court') on 20.11.2023 in Rent Petition No.333 of 2017 titled as '***Mona Sood Vs. Satpal***', qua the closure of his evidence, except the cross-examination of RW-3, while observing that he had been granted sufficient time to conclude his evidence.

2. I have heard learned counsel for the petitioner-tenant in the present revision petition, at the preliminary stage and have also gone through the file carefully.

3. Though, the tenant did not conclude his evidence well in time but keeping in view the fact that in case, he is deprived of the opportunity to lead his evidence, he would suffer an irreparable loss that may further lead to/result in the mis-carriage of justice, this Court is of the considered opinion that it would be in the fitness of the things and the ends of justice will also be

best served if he is afforded two further opportunities to conclude his evidence but subject to the payment of cost to the respondent-landlady.

5. Resultantly, without issuing notice to the respondent-landlady so as to avoid any further delay in the trial of the afore-mentioned Rent Petition and also to avert the expenses that she (landlady) may have to incur to defend in the instant petition, the impugned order dated 20.11.2023 is set-aside and the revision petition in hand is, hereby, disposed of with the direction to the concerned trial Court to grant two more opportunities to the tenant to conclude his evidence, entirely at his (tenant's) own responsibility but the payment of cost to the tune of Rs.10,000/- shall be a condition precedent for doing so and in case of default on his (tenant's) part in so concluding his evidence or in the payment of the cost on the date as may be scheduled by the trial Court, he shall not be entitled to any further opportunity for the above-said purpose.

6. However, it is further clarified here that in the eventuality of the respondent-landlady feeling aggrieved by this order, she shall be at liberty to move an appropriate application to contest the present revision petition.

December 01, 2023
pooja

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>