

2023:PHHC:154423
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

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CR No.7257 of 2023
Date of Decision: 04.12.2023

Jai Pal

....Petitioner.

Versus

Ishwar Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Satbir Rathore, Advocate for petitioner.

Lalit Batra, J.(Oral)

This Civil Revision Petition under Article 227 of the Constitution of India has been filed by the petitioner impugning the legality of order dated 22.09.2023 (Annexure P-25) passed by the learned District Judge, Sonipat, vide which application under Section 24 CPC filed by the respondent was disposed of and Rent Petitions bearing No.RP/01/2018 titled “Ishwar Singh Vs. Jai Pal” (Annexure P-1) and No.RP/03/2018 titled “Jaipal Vs. Ishwar Singh” (Annexure P-2) pending in the Court of learned Rent Controller, Kharkhoda, have been transferred to the Court of learned Sub Divisional Judicial Magistrate, Gohana, for disposal in accordance with law.

2. Learned counsel for the petitioner, at the very outset, confines his prayer that since the Court at Gohana is situated at a distance of more than 40 KMs from the Court at Kharkhoda, petitioner being small shopkeeper would face hardship in case he has to attend the Court proceedings at distant place, whereas the District Courts, Sonipat, is situated at a distance of 20 KMs from Kharkhoda, thus, in order to avoid loss of time and expenditure to the petitioner, who is resident of Kharkhoda, the

the Rent Petitions bearing No.RP/01/2018 and No.RP/03/2018 be transferred to any competent Court of jurisdiction at District Courts, Sonipat.

3. I have heard learned counsel for the petitioner and have also gone through the contents of petition especially the documents placed on the record.

4. Notice of instant petition is not required to be given to respondent as entire documents i.e. copies of miscellaneous orders passed by the learned District Judge and Rent Controller are already on record. In order to avoid further delay in the litigation and unnecessary litigation expenditure, the service of notice to respondent is dispensed with.

5. In view of restricted genuine and reasonable claim of petitioner, instant revision petition is disposed of. Impugned order dated 22.09.2023 (Annexure P-25) rendered by learned District Judge, Sonipat for transfer of abovementioned rent petitions from the Court at Kharkhoda to the Court at Gohana is modified in the manner that both the abovementioned rent petitions are transferred and to be tried at District Courts, Sonipat. Learned District Judge, Sonipat is directed to entrust those rent petitions to a Court of competent jurisdiction at Sonipat.

6. Parties are directed to appear before the transferee Court on the date already fixed.

(LALIT BATRA)
JUDGE

04.12.2023
d.gulati

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No