

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

119

CR-2734-2019  
Date of Decision: 25.04.2024

Mahendra Pal Jain .....Petitioner

Versus

Kusum Lata and others .....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Narang, Advocate and  
Mr. Jitesh Sharma, Advocate for the petitioner.

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ANIL KSHETARPAL, J.(ORAL)

1. When the civil suit was at the fag end, the petitioner filed an application under Section 23 of Provincial Small Cause Courts Act, 1887, for returning the petition to the landlady, which has been dismissed by the Rent Controller.
2. The correctness of such order has been challenged in this revision petition. The civil suit between the parties is already pending. Moreover, while defending the eviction petition, it is open to the petitioner to take all objections, however, filing of an application for returning the petition at the stage of final arguments is not appropriate.
3. Hence, dismissed accordingly.

25.04.2024  
Rajeev (rvs)

(ANIL KSHETARPAL)  
JUDGE

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |