



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CR-3278-2024 (O&M)

Date of Decision : 28.05.2024

ASHOK KUMAR

....Petitioner

VS

MANJEET KAUR

....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Vinay Kumar Gupta, Advocate
for the petitioner.

VIKAS SURI, J. (Oral)

1. The petitioner-tenant has filed this petition under Article 227 of the Constitution of India for setting aside the impugned order dated 18.04.2023, passed by the learned Rent Controller, Moga, whereby having failed to file reply to the rent petition without any explanation despite imposition of costs of Rs.200/- which remained unpaid, the defence of the respondent was ordered to be struck off.

2. After arguing at length and realising that this Court is not inclined to interfere in the impugned order, learned counsel for the petitioner at this stage, prays for withdrawal of the revision petition.

3. It is also noticed that the instant petition is not a statutory revision under Section 15(5) of the East Punjab Urban Rent Restriction Act, 1949. Instead, petitioner has chosen to invoke the superintending

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jurisdiction of this Court, which may not be the appropriate remedy. It is also noticed that the petitioner is in arrears of rent to the tune of Rs.9,80,554/- as detailed in para 4 of the rent petition (Annexure P-1).

4. Be that as it may, even the present petition lacks bonafide which has been instituted after nearly one year of passing of the impugned order. However, keeping in view the limited prayer seeking withdrawal of the present petition, this Court refrains from observing any further.

5. Dismissed as withdrawn.

May 28, 2024*shruti***(VIKAS SURI)
JUDGE****Whether Speaking / Reasoned : Yes/No
Whether Reportable : Yes/No**