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

CR-4288-2024
Date of decision: 30.08.2024

Rakesh Kumar and another

...Petitioners

Versus

Ramesh Mehta and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. V.K. Kaushal, Advocate for the petitioners.

Mr. Ramesh Mehta, Respondent No.1 in person.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 15.03.2024 (Annexure P-1) passed by the Rent Controller/Civil Judge (Junior Division), Amritsar, striking off the defence of the petitioners on the ground that written statement has not been filed within a reasonable time.

2. Today, Mr. Ramesh Mehta-respondent No.1 has appeared in person and has submitted that he would appear on behalf of both the respondents.

3. Learned counsel for the petitioners has submitted that respondent No.1 has been identified by petitioner No.1 on a video call. Moreover, the said Ramesh Mehta has submitted his original Aadhaar Card



and a photocopy of the same is taken on record. Mr. Ramesh Mehta-respondent No.1 has complete understanding of the case and has submitted that in case the petitioners pay an amount of Rs.50,000/- as costs to respondent Nos.1 and 2 then one last opportunity be granted to them to file their written statement but the said written statement be filed upto 03.09.2024 and no further opportunity be granted to them. It is further been stated by Mr. Ramesh Mehta-respondent No.1 that one month's time be granted to the respondents to file their replication to the written statement in case it is filed upto 03.09.2024.

4. Learned counsel for the petitioners has submitted that today, he has brought two demand drafts amounting to Rs.50,000/- (Rs.25,000/- each) prepared in the name of respondent Nos.1 and 2 and is agreeable to the conditions imposed by respondent No.1 and has accordingly, handed over the same to Mr. Ramesh Mehta-respondent No.1.

5. Mr. Ramesh Mehta-respondent No.1 has stated that he has received the said demand drafts.

6. Keeping in view the abovesaid facts and circumstances and joint statement made on behalf of the petitioners as well as by respondent No.1, the present revision petition is disposed of and impugned order dated 15.03.2024 (Annexure P-1) is set aside and the petitioners are granted one last opportunity to file their written statement on or before 03.09.2024 which is the next date of hearing before the Rent Controller. In case the written statement is filed by the petitioners on or before 03.09.2024 then respondent Nos.1 and 2 would be granted one month's time by the Rent Controller to file their replication to the said written statement and

thereafter would proceed by recording the evidence in the case, in accordance with law.

7. It is made clear that in case the petitioners does not file reply on or before 03.09.2024 then no further opportunity would be given to the petitioners to file reply and even the amount of Rs.50,000/- which has been paid by the petitioners to respondent No.1 and 2 would not be liable to be returned.

30.08.2024
Pawan

(VIKAS BAHL)
JUDGE

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