

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CR-7524-2024
Date of Decision: 23.12.2024

RAJINDER SINGH PETITIONER

V/S

GURPREET SINGH RESPONDENT

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Shehbaz Thind, Advocate
for the petitioner.

Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Sherry Singla, Advocate
for the respondent.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 227 of the Constitution of India is seeking setting aside of order dated 08.11.2024 (Annexure P-5) whereby Rent Authority, Ludhiana has rejected his application under Section 38(7)(c) of Punjab Rent Act, 1995 (for short '1995 Act').
2. The respondent has filed an application before Rent Authority seeking eviction of his commercial property. He is an NRI and as per 1995 Act, a person who is a Non-Resident Indian may seek eviction from his residential or commercial property if he wants to settle in India. As per provisions of 1995 Act, application of such a person is



required to be decided expeditiously. The tenant can put forth his defence subject to seeking leave to defend.

The petitioner has filed an application seeking leave to defend. In the said application, the petitioner has pointed out that there are number of properties owned and controlled by respondent/landlord and he wants to bring on record details of those properties. Before adjudication of application seeking leave to defend, the petitioner filed another application seeking amendment of earlier application. The Rent Authority by impugned order has rejected application of the petitioner seeking amendment of earlier application.

3. Mr. Shehbaz Thind, Advocate submits that no prejudice is going to be caused to respondent if present petition is allowed. The petitioner in his original application had pointed out that he is trying to find out details of property of the landlord.

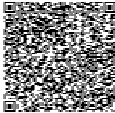
4. Notice of motion.

5. Mr. Sherry Singla, Advocate, who on advance notice is present in Court, accepts notice on behalf of respondent and waives service.

6. With the consent of both the parties, the matter is taken up today itself for final disposal.

7. Counsel for the parties are *ad-idem* that Rent Authority may be directed to decide application of the tenant seeking leave to defend on or before 10.01.2025 and it may consider additional facts brought by tenant in his application seeking amendment.

8. Disposed of in the wake of statement of both sides with a



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request to Rent Authority to decide application of tenant seeking leave to defend by 10.01.2025.

(JAGMOHAN BANSAL)
JUDGE

23.12.2024

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