



CR No.2331 of 2026 (O&M)

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

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Civil Revision No.2331 of 2026 (O&M)
Date of decision: March 12th, 2026

Pardeep Kaur

.....Petitioner

Versus

Yash Paul Nanda

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

Mr. Raghav Khanna, Advocate
for the respondent.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition under Article 227 of the Constitution of India for setting aside the impugned orders dated 09.02.2026 passed by the Rent Controller, Khanna, vide which the application bearing No.IA/1/2026 filed by the petitioner for condonation of delay in filing the application for granting leave to defend along with application bearing No.IA/2/2026 for grant of leave to defend have been dismissed.

2. Learned counsel for the respondent has submitted that a perusal of the application dated 09.02.2026 (Annexure P-5) would show that the petitioner has admitted the fact that she was served on 26.11.2025 to appear on 03.01.2026 and thus, had time up to 11.12.2025 to file an application for leave to defend. It is submitted that it is further apparent from the application that the petitioner was duly served as she had appeared through counsel on 03.01.2026 but did not file the application for leave to defend within the period of limitation and even as per her own case, there is a delay of 23-24



days. It is submitted that the said application has been rightly dismissed as it is a matter of settled law that in the case of leave to defend, there is no applicability of Section 5 of the Limitation Act. In support of his arguments, learned counsel for the respondent has relied upon the judgment in the case of *Paramvir Kaur Versus Balbir Kaur and others reported as 2023(2) RCR (Rent) 126*.

3. Learned counsel for the petitioner in view of the abovesaid objections has submitted that the petitioner would not press the main petition but since the petitioner has been running the business since 2019, thus, the petitioner would vacate the premises but she be granted two months for vacation of the said premises.

4. Learned counsel for the respondent has submitted that there are arrears of rent and in case the petitioner is to be granted two months to vacate the premises, then, the petitioner should be directed to pay arrears of rent in a time bound manner.

5. Learned counsel for the petitioner has submitted that the arrears of rent would be paid within a period of two weeks from today.

6. Keeping in view the abovesaid facts and circumstances and the fair stand taken by the counsel for the petitioner as well as the by counsel for the respondent and on consensus, while upholding the impugned orders, the present revision petition is disposed of with the following observations/directions:

- (i) The petitioner would vacate the premises on or before 12.05.2026 and would hand over the keys of the premises on or before the said date to the respondent.



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- (ii) The petitioner would pay all the arrears of rent within a period of two weeks from today to the respondent.
- (iii) The petitioner would continue to pay the rent every month to the respondent till he occupies the premises i.e. till 12.05.2026.
- iv) The petitioner would file an undertaking on the said three aspects before the Rent Controller within a period of two weeks from today with an advance copy to counsel for the landlord before the Rent Controller.

7. It is made clear that in case the petitioner does not submit the said undertaking or does not comply with any of the abovesaid conditions then it would be open to the respondent to seek immediate possession of the premises in question from the petitioner by applying for police help in addition to taking recourse to other proceedings including the Contempt of Courts Act.

8. Pending application, if any, stands disposed of.

March 12th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No