



CR-4399-2026(O&M)

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

(124)

CR-4399-2026(O&M)
Date of Decision:-25.05.2026

Rakesh Puri

.....Petitioner

Versus

Pooja Mahajan

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Vinod K. Kaushal, Advocate
for the petitioner.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present petition has been filed under Article 227 of the Constitution of India, seeking setting aside of the impugned order dated 09.08.2024, passed by the learned Rent Controller, Amritsar, whereby the defence of the petitioner-defendant was struck off on account of non-filing of the written statement.

2. Briefly, the facts are that the respondent-landlady instituted an ejectment petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 against the petitioner-tenant. On 19.02.2024, the petitioner appeared before the learned trial Court for the first time. Vide order dated 09.08.2024, the learned trial Court struck off the defence of the petitioner on the ground of non-filing of the written statement.

3. Learned counsel for the petitioner submits that the petitioner was not afforded adequate and reasonable opportunity to file the written

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statement. He further contends that he is ready to pay the arrears of rent before the learned Rent Controller and therefore, striking off the petitioner's defence at this stage would cause grave prejudice to his rights and adversely affect the fair trial of the case. Thus, for proper adjudication of the matter and in view of the valuable rights involved, it is necessary to grant one effective opportunity to the petitioner for filing the written statement.

4. I have heard learned counsel for the petitioner and perused the paper-book.

5. In view of the order proposed to be passed, issuance of notice to the respondent is dispensed with, as the same would delay the proceedings besides entailing additional expense.

6. After hearing learned counsel for the petitioner and upon perusal of the case record, this Court is of the considered view that, since valuable rights of the petitioner are involved, it would be in the interest of justice to grant one effective opportunity for filing of the written statement in the rent petition pending before the learned Rent Controller.

7. Accordingly, the present petition is allowed, without commenting upon the merits of the case. The impugned order dated 09.08.2024, passed by the learned Rent Controller, Amritsar, is hereby set aside, subject to payment of costs of ₹10,000/-, to be deposited by the petitioner with the District Legal Services Authority, Amritsar.

8. The petitioner shall appear before the learned trial Court on the date already fixed and, upon production of the receipt qua deposit of costs,



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the Rent Controller shall grant one effective opportunity to the petitioner for filing the written statement.

9. The Registry is directed to forward a copy of this order to the learned Rent Controller, Amritsar, for compliance.

10. All pending application(s), if any, stand disposed of accordingly.

(AMARINDER SINGH GREWAL)
JUDGE

25.05.2026
Shubham

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