



248-2-Urgent

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

**CM Nos. 11380-CII & 11381-CII of 2026 in/and
Civil Revision No. 9246 of 2018 (O&M)
Date of Decision: 26.05.2026**

Open Access Technology India Private Limited

..... Petitioner

Versus

Ramesh Chawla & Associates through its partner
Sh. Ramesh Chawla and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Amit Jhanji, Sr. Advocate, assisted by
Ms. Priyanka Kansal, Advocate
for the petitioner.

Mr. Gaurav Chopra, Sr. Advocate, assisted by
Mr. Harneet Singh Oberoi, Advocate
for contesting respondent No. 1.

HARKESH MANUJA, J. (ORAL)

CM Nos. 11381-CII of 2026

Prayer made in the present application moved on behalf of the applicant-contesting respondent No. 1, is for preponing the date of hearing of main case from 03.08.2026 to an earlier date.

Notice of the application.

Learned counsel for the non-applicant/petitioner accepts notice and raises no objection against the prayer made in the application.

In view of the above as well as contents of the application, duly supported by an affidavit, the same is allowed and with the consent of learned counsel for parties, the date of hearing of main case is preponed and taken up today itself.

MAIN CASE

By way of present revision petition, challenge has been made to the following orders:-

- (i) Order dated 20.09.2011; vide which the petitioner was proceeded against *ex parte* in Rent Petition No. 09 dated 05.02.2011;
- (ii) Order dated 28.10.2015; vide which *ex parte* eviction was ordered against the petitioner;
- (iii) Order dated 10.05.2017; vide which an application under Order 9 Rule 13 CPC preferred at the instance of petitioner for setting aside of *ex parte* proceedings as well as the *ex parte* order of eviction, was dismissed;
- (iv) Order dated 01.12.2018; vide which the appeal preferred at the instance of petitioner as against the order dated 10.05.2017 was dismissed by the learned Appellate Authority.

[2] Mr. Harneet Singh Oberoi, Advocate, learned counsel for respondent No. 1, on instructions, submits that respondent No. 1-landlord has no objection in case the aforementioned orders are set aside and the petitioner is permitted to participate in the eviction petition. It has further been submitted that ***Rent Petition No. 09 / 05.02.2011*** be restored to its original number and be heard afresh.

[3] In view of the aforesaid concession extended on behalf of respondent No. 1 and also keeping in view the substantial rights of the petitioner-tenant for affording an opportunity of hearing and defending itself in the eviction petition, the aforesaid orders dated 20.09.2011, 28.10.2015, 10.05.2017 & 01.12.2018 are hereby set aside. Consequently, Rent Petition No. 09 dated 05.02.2011 is ordered to be restored to its original number before the learned Rent Controller. The parties are directed to appear before the learned Rent Controller on **29.05.2026**.

[4] Considering the fact that the eviction petition was preferred in the year 2011, the learned Rent Controller is requested to expedite the proceedings and conclude the same, preferably within nine months from the date of appearance of the parties.

[5] **Disposed of** accordingly.

[6] Pending miscellaneous application(s), if any, shall also stand disposed off.

May 26, 2026
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No