



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(115)

CR No. 8740 of 2025 (O&M)

Date of Decision : 15.01.2026

Jatinder Kumar

...Petitioner

Versus

Manjit Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Abhimanyu Kalsy, Advocate for the respondent-Caveator.

Amarinder Singh Grewal, J. (Oral)

1. The present civil revision petition has been filed for setting aside the impugned order dated 28.10.2025, whereby the application filed by the petitioner–respondent seeking permission to examine two witnesses, namely Lakhvir Singh son of Naran Singh and Kanhaiya Lal Rajpurohit son of Udai Singh Ji Rajpurohit, has been dismissed by the learned Rent Controller, Ludhiana.

2. **Brief facts of the case** are that respondent–Manjit Kaur filed a petition under Section 13 of the *East Punjab Urban Rent Restriction Act, 1949* against the petitioner–Jatinder Kumar for directing him to vacate and hand over the vacant possession of the premises in dispute. Upon issuance of notice, the petitioner appeared through counsel and filed his written statement. Issues were framed and both parties led their respective evidence.



3. When the case was fixed for final arguments, the petitioner moved an application seeking permission to examine the aforesaid two witnesses. It was stated that these witnesses were earlier abroad but have now returned to India and that their evidence is essential for the just and proper adjudication of the case. However, the said application was dismissed vide the impugned order dated 28.10.2025.

4. Learned counsel for the petitioner contends that the dismissal of the application has caused serious prejudice to the petitioner, as the proposed witnesses are material and necessary for a just decision of the case.

5. Heard.

6. Notice of motion.

7. Mr. Abhimanyu Kalsy, Advocate appears and accepts notice on behalf of the respondent.

8. Considering that valuable rights of the petitioner are involved and that the evidence sought to be led is material for the proper adjudication of the dispute, this Court is of the opinion that instead of dismissing the application, the learned Rent Controller ought to have allowed the petitioner to examine the said witnesses.

9. Accordingly, the present petition is **allowed**, without expressing any opinion on the merits of the case. The impugned order dated **28.10.2025** passed by the learned Rent Controller, Ludhiana, is hereby **set aside**. The petitioner is directed to appear before the learned Rent Controller on the date already fixed, and the learned Rent Controller shall grant **one effective opportunity** to the petitioner to examine the above-named witnesses by fixing a short date.



10. After closure of the evidence, the learned Rent Controller, Ludhiana, shall dispose of the rent petition **within a period of two months**, in accordance with law.
11. The Registry is directed to forward a copy of this order to learned Rent Controller, Ludhiana for compliance.
12. All pending application(s), if any, stand disposed of accordingly.

January 15, 2026
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(AMARINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No