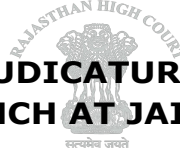




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 3771/2025

1. Padam Chand Jain S/o Late Shri Ishwar Lal, Aged About 73 Years, Presently Tenant Of Shop No. 102, House No. 292, Nataniyo Ka Rasta, IInd Crossing, Tripolia Bazar, Jaipur.
2. Ashish Jain S/o Shri Prem Chand Jain, Aged About 46 Years, Presently Tenant Of Shop No. 102, House No. 292, Nataniyo Ka Rasta, IInd Crossing, Tripolia Bazar, Jaipur.

----Non-Applicants/Petitioners

Versus

Raj Kumar Jain S/o Late Shri Nanu Lal Jain, Aged About 73 Years, R/o House No. 292, Nataniyo Ka Rasta, IInd Crossing, Tripolia Bazar, Jaipur.

----Applicant/Respondent

For Petitioner(s)	:	Mr. Vimal Kumar Jain with Mr. Shubham Jain
For Respondent(s)	:	

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL

Judgment / Order

19/03/2025

This writ petition under Article 227 of the Constitution of India is directed against the order dated 03.03.2025 passed by the learned Rent Tribunal No.1, Jaipur Metropolitan-I, Jaipur (for brevity "the learned Rent Tribunal") in Application No.61/2019 whereby, evidence of the petitioners/non-applicants/tenants (for short "the petitioners") has been closed.

Learned counsel for the petitioners submits that after closure of the evidence of the respondent/applicant (hereinafter referred to as "the applicant") on 22.11.2024, the case was fixed for their evidence on 10.12.2024 on which date, the learned Presiding



Officer was on leave. On the next date fixed, i.e., 03.01.2025, although their witnesses were present, the learned counsel for the applicant sought time for cross-examination. On the next date, i.e., 20.01.2025, the learned Presiding Officer was on leave. On the next date, i.e., 03.02.2025, cross-examination of their witness DW-1 remained inconclusive due to paucity of time and 13.02.2025 was fixed as the next date. On 13.02.2025, cross-examination of DW-1 was over and they were directed to keep their entire evidence available on the next date, i.e., 03.03.2025. On 03.03.2025, despite furnishing justification for non-presence of their witnesses, evidence was closed by the learned Rent Tribunal. He submits that, in the interest of justice, they be granted only one opportunity to lead their entire evidence.

Heard. Considered.

Taking into consideration the contentions advanced by the learned counsel for the petitioners and the material on record, this Court deems it just and proper to dispose of this writ petition in following terms without issuing notice to the applicant to obviate further delay as also not to enburden him with unnecessary litigation expenses which may be incurred in appearing before this Court:-

1. The order dated 03.03.2025 is quashed and set aside.
2. The petitioners are granted one opportunity to lead their evidence either on the next date fixed before the learned Rent Tribunal, i.e., 24.03.2025 or within a period of two weeks thereafter, if the learned Rent Tribunal so directs.



3. The aforesaid opportunity is subject to payment of a cost of Rs.10,000/ to the applicant in the shape of demand draft/bankers cheque.

4. If the applicant feels aggrieved by this order, he is at liberty to move an application for its recalling.

Pending application(s), if any, also stands disposed of.

(MAHENDAR KUMAR GOYAL),J