

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).3373/2004

(From the judgement and order dated 08/12/2003 in CW No. 981/2002 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

ANAND KISHORE

Petitioner(s)

VERSUS

AMARJIT KAUR

Respondent(s)

(With appln(s) for exemption from filing O.T.and exemption from filing O.T. of Annexure A-2 and permission to refer addl. Documents and directions and with prayer for interim relief)

Date: 11/04/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

HON'BLE MR. JUSTICE A.K. MATHUR

For Petitioner(s)

Ms. Sandhya Goswami,Adv.

For Respondent(s)

Mr. Manoj Swarup,Adv.

Ms. Somiran Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

Appeal is disposed of in terms of the signed order.

(Meenu Sethi)

(Pushap Lata Bhar

dwaj)

Court Master

Court Mas

ter

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2561/2005

(Arising out of SLP(C) No. 3373/2004)

Anand Kishore
llant

... Appe

VERSUS

Amarjit Kaur
ondent

... Resp

O R D E R

Leave granted.

On looking into the pleadings and the material placed on record, we are of

the view that this is a matter in which leave to defend ought to have been granted and

the eviction petition should have been set down for inquiry. However, we are not

expressing any view on the merits. The order of the trial Court is upheld and that of the

High Court is set aside. We further direct the trial Court, namely, the Rent Controller

to endeavour to decide the petition within nine months. The appeal is disposed of

accordingly.

.....J.

(P.VENKATARAMA

REDDI)

.....J.

(A.K. MATHUR)

New Delhi,

April 11, 2005.