

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.3546 OF 2009
(Arising out of S.L.P. (C) No.1590 of 2008)

Kimti Lal

...Appellant(s)

Versus

Jaswinder Kaur (N.R.I.)

...Respondent(s)

O R D E R

Leave granted.

Heard learned counsel for the parties.

The application filed by the appellant under Section 13-B of the East Punjab Urban Rent Restrictions Act, 1949 for grant of leave to contest the landlord's prayer for eviction was dismissed by the Rent Controller on the ground that the same was barred by time. The High Court dismissed the revision petition filed against the order of the Rent Controller. Hence, this appeal by special leave.

Having heard learned counsel for the parties and perused the application filed by the appellant, we are of the view that in the facts and circumstances of the present case, the Rent Controller should have granted leave to the appellant to contest the petition filed by the landlord.

Accordingly, the appeal is allowed, impugned orders are set aside and leave is granted to the appellant to contest the eviction petition filed by the respondent. Eight

...2/-

weeks' time is allowed to the appellant to file written statement. The Rent Controller is directed to dispose of the main petition within a period of six months from the date of receipt/production of copy of this order.

[B.N. AGRAWAL]J.

[G.S. SINGHVI]J.

[DR. B.S. CHAUHAN]J.

New Delhi,
May 13, 2009.

