

**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 (C) No(s). 24120/2023  
(@ Diary No. 23568/2023)

(Arising out of impugned final judgment and order dated 28-03-2023 in CR No. 6560/2014 passed by the High Court Of Punjab & Haryana At Chandigarh)

KAMLESH MALHOTRA THROUGH SPA HOLDER VIPUL MALHOTRA PETITIONER(S)

**VERSUS**

ARUN KUMAR

RESPONDENT(S)

(FOR ADMISSION and IA No.143908/2023-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS and IA No.143907/2023-PERMISSION TO APPEAR AND ARGUE IN PERSON )

Date : 20-10-2023 This petition was called on for hearing today.

**CORAM :**

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

**For Petitioner(s)**

Petitioner-in-person

**For Respondent(s)**

Mr. C.B.Gururaj, Adv.

Mr. Prakash Ranjan Nayak, AOR

Mr. Animesh Dubey, Adv.

**UPON hearing the counsel, the Court made the following**  
**O R D E R**

1. Permission to appear and argue in person is granted.
2. Delay condoned.
3. The petitioner-tenant is aggrieved by the order dated 28<sup>th</sup> March, 2023, passed by the High Court of Punjab and Haryana, whereby the Civil

Revision filed by her has been dismissed and the order dated 22<sup>nd</sup> August, 2014, passed by the learned Rent Controller, rejecting the leave to defend application filed by the petitioner, has been upheld.

4. Mr. Vipul Malhotra, who is the son of the petitioner and Special Power of Attorney on her behalf, appears in person.

5. Having gone through the records, we are of the opinion that the impugned order does not require any interference. However, we have inquired from Mr. Vipul Malhotra, if the petitioner would be willing to vacate the subject premises, if granted a reasonable time. He is agreeable to the said position. Learned counsel for the respondent, who is on caveat, does not have any objection.

6. Accordingly, the petitioner is granted time upto 30<sup>th</sup> April, 2024, to vacate the subject premises and handover the vacant and peaceful possession thereof to the respondent, subject to filing of usual undertaking in the Registry of this Court within two weeks from today, with a copy to the other side and subject to the petitioner continuing to pay the use and occupation charges to the respondent on monthly basis on or before the 7<sup>th</sup> day of each calendar month, till the possession is handed over.

7. The Special Leave Petition is disposed of on the above terms, along with pending application(s), if any.

**(POOJA SHARMA)**  
**COURT MASTER (SH)**

**(NAND KISHOR)**  
**COURT MASTER (NSH)**