

ITEM NO.50

COURT NO.11

SECTION IV-B

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

Petition(s) for Special Leave to Appeal (C) No(s). 37253/2017

(Arising out of impugned final judgment and order dated 08-12-2017 in CR No. 7357/2017 passed by the High Court Of Punjab & Haryana At Chandigarh)

SANTOSH RATTAN

Petitioner(s)

VERSUS

V.K. GUPTA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.141414/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and)

IA NO. 2485/2018- PERMISSION TO FILE ADDL. DOCUMENTS

Date : 15-05-2018 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. V.Shekhar, Sr. Adv.
Mr. Shashank Shekhar, Adv.
Ms. Stuti Naina Karwal, Adv.
Mr. Prithviraj Singh, Adv.
Mr. Chander Shekhar Ashri, AOR

For Respondent(s) Mr. Akhil Anand, AOR
Mr. Anirudh Krishan Gandhi, Adv.

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

Heard Shri V.Shekhar, learned senior counsel appearing on behalf of the petitioner. While he has persuasively argued that Section 13-A(1-A) of the Haryana Urban (Control of Rent and Eviction) Act, 1973 expressly applies only to residential premises and that the present premises comprises not only of residential but

also of commercial premises, and would thus fall outside the section. We are of the view that the premises are predominantly residential as they consist of a residential area together with a clinic in which a Doctor conducts her practice. This being the case, we are of the view that the impugned judgment does not call for interference. The special leave petition is, accordingly, dismissed.

However, the petitioner is granted a period of one year from today to vacate the premises subject to filing the usual undertaking to be furnished within a period of four weeks from today.

(SHASHI SAREEN)
AR CUM PS

(SAROJ KUMARI GAUR)
BRANCH OFFICER