

WPMS No.2280 of 2012
Hon'ble V.K. Bist, J.

Heard Ms. Sangeeta Bhardwaj,
learned counsel for the petitioner.

Present petition has been filed by the petitioner for a direction to the District Judge, Dehradun to decide the Rent Control Appeal No.2 of 2012 "Amrik Singh Vs. Rahul Kumar & another" within the time bound period, as prescribed by this Court.

Petitioner and respondent no.2 filed petition under Section 21(i) (a) of the U.P. Act no.13 of 1972 before the Court of Prescribed Authority/Civil Judge (S.D.), Dehradun, which was registered as P.A. Case no.9 of 2009. The respondent no.1 contested the aforesaid release application. The release application was allowed vide judgment and order dated 15.12.2011. Aggrieved by the order dated 15.12.2011, the respondent no.1 filed appeal under Section 22 of the U.P. Act no.13 of 1972 before the Court of learned District Judge, Dehradun and the same was registered as Rent Control Appeal No.2 of 2012.

Learned counsel for the petitioner argued that Rule 7(7) of the Uttar Pradesh (Regulation of Letting Rent & Eviction) Rules, 1972 provides that appeal under Section 22 of the U.P. Act no.13 of 1972 should be decided within a period of six months. She submitted that about nine months have passed, but the said appeal has not been decided till date. She

argued that due to one reason or the other, proceedings have been prolonged in the matter and the case could not be heard. She further submitted that due to the pendency of the appeal, the petitioner is suffering from irreparable loss. She prayed that direction may be issued to the District Judge, Dehradun to decide the Rent Control Appeal No.2 of 2012 "Amrik Singh Vs. Rahul Kumar & another" at the earliest.

After considering the submission advanced by the learned counsel for the petitioner and after perusing the papers available on record, the writ petition is disposed of with a direction to the District Judge, Dehradun to decide the Rent Control Appeal No.2 of 2012 "Amrik Singh Vs. Rahul Kumar & another" within a period of six months from the date of production of a certified copy of the order.

Arpan

(V.K. Bist, J.)

30.10.2012