

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.1305 of 2013(O&M)

Date of Decision : 31.3.2015

Naginder Kumar

.....Petitioner

Versus

Chaman Lal

.....Respondent

CORAM:- HON'BLE MR. JUSTICE GURMIT RAM

Present: Mr. R.K. Chauhan, Advocate
for the petitioner.

Mr. Vaibhav Sehgal, Advocate
for the respondent.

GURMIT RAM, J.

As per the records, notice of motion in this case was issued vide order dated 26.2.2013 only for the grant of some reasonable time to vacate the premises. Vide this order, dispossession of the petitioner (tenant) from the demised premises was also ordered to be stayed till the next date of hearing. Then vide order dated 10.4.2013, this interim stay order was vacated and it was also observed that Executing Court would be free to execute the eviction order.

2. In this case the respondent (landlord) has succeeded to get the ejectment order against the petitioner (tenant) for evicting him from the demised premises, interalia, on the ground of personal necessity. The appeal filed in this regard was also dismissed by the learned Appellate Authority, Ludhiana.

3. His plea was that he requires the demised shop for the

use and occupation of his wife Sapna for running a boutique with the help of her son Honey Verma. His said son will also use this shop for running the business of a property dealer. This plea of landlord was held to be bonafide by both the Courts below. There is nothing on the record to make any interference in the judgments recorded by both the Courts below.

4. Then on 26.3.2015, the learned counsel for the respondent-landlord stated that the landlord has already taken the possession of the demised premises w.e.f. 22.2.2013. Then as per the records, there was no order of interim stay operating on that date qua the possession of the petitioner-tenant over the demised premises.

5. Since the impugned order has already been implemented upon and the respondent-landlord has taken the possession of the demised premises in due course of law, so this revision petition stands dismissed being meritless as well as having been rendered infructuous and disposed of accordingly.

31.3.2015
Brij

(GURMIT RAM)
JUDGE