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

CR No.2931 of 2015

Date of decision: May 25, 2015

Suresh Dutt Sharma

.....Petitioner

Versus

Ruchira Lohiya

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sandeep Jasuja, Advocate
for the petitioner.

Mr. Kartar Singh, Advocate
for the respondent/caveator.

SABINA, J

Petitioner has filed this petition challenging the order dated 23.03.2015.

Learned counsel for the petitioner has handed-over draft in the sum of ₹4,00,500/- to the counsel for the respondent.

Learned counsel for the respondent has submitted that the petitioner has failed to pay the charges of society.

Petitioner has filed suit for permanent injunction. Alongwith the suit, petitioner had moved an application for interim injunction. Trial Court vide order dated 28.10.2014 restrained the respondent from forcibly dispossessing the petitioner from the suit property except in due course of law. The said order was set aside in appeal by the Appellate Court vide order dated 23.03.2015. Hence, the present petition.

During the course of arguments, it has transpired that the respondent has filed eviction petition against the respondent and the same is pending. Now the petitioner has paid arrears of rent to the respondent upto 15.04.2015. In these circumstances, it would be just and expedient to set aside the order passed by the Appellate Court and uphold the order passed by the trial Court.

Since petitioner has paid the arrears of rent upto 15.04.2015, this petition is allowed. Impugned order dated 23.03.2015 passed by the Appellate Court is set aside. Consequently, the order passed by the trial Court dated 28.10.2014 is upheld. It is hoped that the petitioner shall continue paying rent to the respondent regularly in the future.

**(SABINA)
JUDGE**

May 25, 2015
m.singh