

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

**CR-3134-2015.**

**Decided on: May 12, 2015.**

**Dr.Bhupinder Singh**

**... Petitioner(s)**

**VERSUS**

**Ravin Kumar Gupta**

**... Respondent(s)**

**\* \* \***

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI**

**PRESENT Mr.Ashok Sehgal, Advocate,  
for the petitioner.**

**M.M.S. BEDI, J (ORAL).**

Petitioner is aggrieved by the approach of the executing Court in issuing notice to the tenant before issuing warrants of possession.

Counsel for the petitioner submits that since the ejectment order has been sought to be executed within a period of two years, there is no requirement for issuing notice to the tenant-respondent.

I have heard the counsel for the petitioner and gone through the record. In this case, the ejectment order was passed against the tenant-respondent on 11.9.2014. The petitioner had filed execution on 17.1.2015 specifically mentioning that no appeal has been filed.

During the course of argument, it has been informed by the Counsel for the petitioner that an appeal has actually been filed. Since the statutory appeal is pending and the ejectment has been stayed subject to certain conditions, to avoid any illegality, the order issuing notice to the tenant-respondent to ascertain the status in view of he having a statutory legal right of appeal under law does not suffer from any infirmity.

The petition is dismissed.

**(M.M.S. BEDI)  
JUDGE**

**May 12, 2015.**

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