

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

CR-3638-2015.

Decided on: May 26, 2015.

Jauddin

... Petitioner(s)

VERSUS

Vipin Kumar and another

... Respondent(s)

* * *

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

**PRESENT Mr.Sudhir Aggarwal, Advocate,
for the petitioner.**

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

The grievance of the tenant- petitioner is that on account of ejectment proceedings arising out of decree for possession being pending before the High Court, the ejectment application under the Haryana Urban (Control of Rent and Eviction) Act, 1973, on expiry of period of ten years of construction of the building, would not be maintainable.

After arguing for some time, counsel for the petitioner agrees that this would be a mixed question of law and fact to be adjudicated upon by the Rent Controller regarding the maintainability of the ejectment petition.

Disposed of as withdrawn with liberty to the counsel for the petitioner to raise all the factual and legal pleas before the Rent Controller expecting that the same would be adjudicated in accordance with law.

**May 26, 2015.
rka**

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