

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

CR No.5459 of 2015 (O&M)

Decided on: 25.08.2015

Rakesh Malhotra & another . . . Petitioners

Versus

Vishal Sharma . . . Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. D.K. Singal, Advocate
for the petitioners.

ARUN PALLI, J. (Oral)

Contentends that vide order dated 24.02.2015, the Appellate Authority had granted conditional stay and since the respondent-tenant failed to meet the conditions within the stipulated time, the stay order granted by the Appellate Authority stood automatically vacated. That being so, he contends that executing Court ought to have issued warrant of possession.

The order being assailed (Annexure P-4) shows that the matter is indeed pending for consideration before the Executing Court for 08.09.2015 and thus, there is hardly any reason, least plausible, to interfere at this stage. That being so, learned counsel for the petitioners submits that he be permitted to withdraw the petition, so as to enable the petitioners to make appropriate prayer/submission before the executing Court itself.

Dismissed as withdrawn.

**[ARUN PALLI]
JUDGE**

25.08.2015
sachin