

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

**CR No.5659 of 2015 (O&M)
Date of decision: 21.10.2015**

Rajesh Gupta

..... Petitioner

Versus

Bhalinder Kumar

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Ashish Verma, Advocate for the petitioner.

Mr. Jatinder Nagpal, Advocate for the respondent.

ARUN PALLI, J. (Oral)

Learned counsel for the parties are *ad idem* that vide order dated 27.08.2015, rendered by the Rent Controller, Patiala, ejection of the petitioner had since been ordered from the demised premises. However, an appeal preferred against the order of eviction along with an application for stay is pending consideration before the Appellate Authority for 2.11.2015.

That being so, learned counsel for the parties submit that the petition in hand has become infructuous and be disposed of as such. For, warrants of possession has already been issued, learned counsel for the respondent-landlord submits that the actual physical possession of the demised premises shall not be obtained till the decision of the stay application. He submits that respondent-landlord shall cause appearance before the Appellate Authority on 2.11.2015, but let the stay application moved by the petitioner be decided within a specified time.

In view of above, the petition stands disposed of as having become infructuous.

Appellate Authority is requested to decide the stay application within a period of three weeks, after the respondent cause appearance before the Court.

October 21, 2015

Manoj Bhutani

**(ARUN PALLI)
JUDGE**