

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.5688 of 2015
Date of decision: 24.09.2015

Sardha

... Petitioner

Versus

Bhanu Partap and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Balraj Gujjar, Advocate for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

On September 2, 2015, this court had passed the following order:

“Contents that the appeal preferred by the petitioner against the order of eviction dated 04.03.2015 is pending consideration before the Appellate Authority. Yet, application for stay under Order 41 Rule 5, Code of Civil Procedure, was declined. It is contended that if the petitioner is dispossessed during the pendency of the appeal, she shall not only suffer an irreparable loss, but even her appeal would virtually be rendered infructuous. In any case, he submits that the reason assigned by the Appellate Authority to decline the stay is erroneous, as the finding recorded by the Rent Controller that the premises had become unfit and unsafe for human habitation, was under challenge in appeal and had not yet become final.

Notice of motion for 18.09.2015.

Notice Re: stay as well.

Process dasti as well with a liberty to serve respondent No.1 through his counsel before the Appellate Authority.

Status quo as regards possession shall be maintained till the adjourned date of hearing.

To be shown in the Urgent List.”

On the previous date of hearing i.e. 23.09.2015, nobody caused appearance on behalf of contesting respondent No.1, despite service. And, the matter was adjourned for today. Nobody is present even today to pursue the matter.

That being so, the revision petition is disposed of with a direction that status quo as regards possession shall be maintained during the pendency of the appeal, which is purportedly pending before the Appellate Authority, Bhiwani. However, Appellate Authority is requested to decide the appeal, if possible, within a period of three months from the receipt of certified copy of this order.

September 24, 2015
Rajan

(Arun Palli)
Judge