

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

**122**

**Civil Revision No.7447 of 2015(O & M)  
Date of Decision:05.11.2015**

Raj Kumar

....petitioner

Versus

Shivani Gutpa

.....respondent

**CORAM: HON'BLE MR.JUSTICE ARUN PALLI**

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.Navkesh Singh Goraya, Advocate  
for the petitioner

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**ARUN PALLI, J.(ORAL):-**

Learned counsel for the petitioner contends that faced with the order of ejectment dated 14.02.2013, rendered by Rent Controller, Ludhiana, appeal, preferred by the petitioner, is pending consideration before the Appellate Authority. And vide order dated 16.05.2013, ejectment of the petitioner was stayed, subject to payment of mesne profits. But, since the petitioner failed to comply with the conditional order of stay dated 16.05.2013, and defaulted, the respondent-landlord was/is proceeding to execute the order of eviction.

Notice of motion.

Mr.Vikas Gupta, Advocate, present in the Court, accepts notice on behalf of the respondent and submits that even though the petitioner has apparently been remiss and negligent in complying with the order dated 16.05.2013, and the Appellate

Authority was fully justified in passing the order dated 17.10.2015 (Annexure P1), but he be given a week's time to deposit the entire arrears of rent/mesne profits in terms of the order dated 16.05.2013. He submits that as the appeal preferred by the petitioner, against the order of eviction dated 14.10.2013, is pending consideration for the post 2½ years and the matter being delayed by the petitioner on one pretext or the other, a direction be issued to the Appellate Authority to decide the appeal within a specified time.

That being so and without examining the dispute on merits, the revision petition is disposed of, in the following terms:

1. The petitioner-tenant shall deposit the entire arrears of rent/mesne profits, in terms of the order dated 16.05.2013, within a period of one week from today, failing which, respondent-landlord shall be free to execute the order of eviction, forthwith and obtain actual physical possession.
2. The Appellate Authority is requested to decide the appeal as expeditiously as possible but positively within a period of three months from today.

05.11.2015

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**(ARUN PALLI)  
JUDGE**