

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

RSA No.2952 of 1988

Date of Decision:-11.02.2015

Ganeshi Lal (now deceased) through LRs

.....Appellant

Versus

Nathu@ Nathan

.....Respondent

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.

Present:- Mr. O.P. Goyal, Sr. Advocate with
Mr. Randeep Singh, Advocate
for the appellant.

Mr. C.B. Kaushik, Advocate
for respondent.

SATISH KUMAR MITTAL, J.(Oral)

On 15.1.2015 the following order was passed.

"This is landlord Regular Second appeal against the judgment of reversal. The suit filed by the appellant for possession of a premises which is not covered by the Haryana Rent Restriction Act, was decreed by the trial Court, but the Appellate Court on the issue that no proper notice for terminating the tenancy/lease was given under Section 106 of the Transfer of Property Act, the suit of the plaintiff was dismissed.

In this appeal, the appellant has filed an application for direction to the respondent/tenant to pay the rent which according to the appellant is not paid since 1984 till date. No body is appearing on behalf of tenant even earlier as well as on today inspite of service.

In these circumstances, we direct the respondent to be present in Court on the next date of hearing.
Adjourned to 11.2.2015."

Today counsel for both the parties have stated that the matter has been amicably settled as the tenant has handed over the vacant possession to the landlord and the landlord has foregone the entire arrears of rent.

In view of the aforesaid this appeal has become infructuous.

Ordered accordingly.

**(SATISH KUMAR MITTAL)
JUDGE**

**11.02.2015
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