

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

**CR No.3669 of 2016(O&M)
Date of decision :25.05.2016**

Aas Mohd.

..... Petitioner

Versus

Haryana Wakf Board and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr.S.S.Dinarpur, Advocate
for the petitioner.

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

DARSHAN SINGH, J. (Oral)

The present revision petition has been preferred against the order dated 05.05.2016 passed by the learned Additional District Judge, Yamuna Nagar at Jagadhri, whereby a condition has been imposed upon the petitioner to pay an amount of Rs. 24,000/- to respondent no.1. He was also ordered to pay interest on the security amount at the rate of 12 % per annum.

2. Learned counsel for the petitioner contended that the petitioner is in possession of the suit property. He had

taken the land in question on lease in the year 2009. The same continued up to 16.06.2015 upon deposit of the lease money. He contended that he had never been dispossessed from the suit land. Learned trial Court while granting injunction in favour of the petitioner has wrongly imposed the condition of payment of Rs. 24,000/- per annum along with interest.

3. I have duly considered the aforesaid contentions.

4. This fact is not disputed that the lease in favour of the petitioner has already expired. Thereafter respondent-Wakf Board has leased out the suit property to defendant no.2 for the lease money of Rs. 24,000/-, which were even deposited by respondent no.2 vide receipt no. 458 dated 26.10.2015. Respondent no.2 has even deposited the security amount of Rs. 22,000/-. But, physical possession of the suit property could not be delivered to defendant no.2 and respondent no.1-Wakf Board has filed a suit for possession against the petitioner. So, there is nothing wrong in the condition imposed by learned trial Court for payment of amount of Rs. 24,000/-, which is equal to the lease amount deposited by respondent no.2 with respondent no.1 and also to pay interest at the rate of 12 % per annum on the amount of security.

5. Thus, keeping in view my aforesaid discussion, I do not find any illegality in the well reasoned impugned order

passed by the learned trial Court, which does not call for any interference by this Court.

6. Thus, the present revision petition having no merits, is hereby dismissed.

25.05.2016

S.khan

**(DARSHAN SINGH)
JUDGE**