

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

**C.R. NO.4067 OF 2014**

**DATE OF DECISION: MARCH 28, 2016**

**Surinder Kumar**

.....Petitioner

**VERSUS**

**Manohar Lal Sukhija**

....Respondent

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH**

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. Baltej Singh Sidhu, Advocate,  
for the petitioner.

Mr. Ashok Kumar Khunger, Advocate,  
for the respondent.

\*\*\*\*\*

**AUGUSTINE GEORGE MASIH, J. (ORAL)**

On 14.07.2014, this Court has passed the following order:-

“Without disputing findings of fact recorded by both the Courts below, learned counsel for the petitioner prays for some time to vacate the demised premises.

Notice of motion for 22.7.2014 only to that extent.

Learned counsel for the petitioner is directed to hand over a copy of the petition to Mr.Ashok Kumar Khunger, Advocate, for the Caveator-respondent.”

It has been stated by counsel for the respondent that in the execution proceedings, which were initiated by the respondent-landlord, the

possession of the demised premises has been obtained and the petitioner is no more in possession of the property.

Counsel for the petitioner could not dispute this fact. He, however, insisted that the matter may be heard on merits.

This prayer of counsel for the petitioner cannot be accepted in the light of the above reproduced order dated 14.07.2014, where the findings recorded on fact by both the Courts below were not disputed and counsel for the petitioner had prayed for sometime to vacate the demised premises. The petitioner did not seek any protection of this Court when the possession was being taken by the respondent-landlord of the demises premises. Since the premises have been got vacated by the respondent-landlord through due process of law, the present petition has been rendered infructuous and the same is disposed of as such.

**March 28, 2016**  
**khurmi**

**( AUGUSTINE GEORGE MASIH )**  
**JUDGE**