

Mohinder Singh VS. Gurbax Singh

Present: None for the petitioner.

Mr.Prateek Mahajan, Advocate for the respondent.

Ajay Tewari,J.(Oral)

Learned counsel has pointed out that this petition has been filed by the tenant challenging the order whereby both the authorities below have declined application under Order 9 Rule 13 CPC. However, thereafter the respondent-landlord had also filed a subsequent rent petition which was dismissed and in that case the landlord had earlier filed Civil Revision No.2150 of 1994 which had come up before the Lok Adalat in which the following order was passed:-

“Learned counsel for the petitioner has made a statement that in view of the report of the registry that respondent No.1 has vacated the shop in question, the revision petition may be dismissed as withdrawn.

Ordered accordingly.

Copy of the order as well as statement be supplied/sent to the counsel/parties and file be returned to the High Court.”

None has entered appearance on behalf of the petitioner. In the circumstances the petition is disposed of as having been rendered infructuous. However, the petitioner is granted liberty to move an application for recalling the order if the above facts are not correct.

**(AJAY TEWARI)
JUDGE**

January 13, 2016
sunita