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

CM No.21331-CII of 2016 in/and
Civil Revision No.6582 of 2016
Date of Decision: October 18, 2016

M/s Patel Auto Services Pvt. Ltd.

.....Petitioner

Versus

Gurcharan Singh Bhatia

....Respondent

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

Present: Mr. Ashu M. Punchhi, Advocate
for the petitioner.

****

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.21331-CII of 2016

Application is allowed and copy of civil suit, Annexure P-11, is taken on record.

CR No.6582 of 2016

On the last date of hearing when the case was taken up on 30.09.2016, the following order was passed:-

> "*Mr. Ashu M. Punchhi, learned counsel appearing on behalf of petitioner contends that as per the lease deed dated 21.09.2011, the premises in dispute were taken on rent and still dispute arose on behalf of allottee agency for carrying out the business. The petitioner-tenant had vacated the premises on 01.07.2014 but at the time of execution of the lease deed had furnished the security amount of `25,00,000/-. Despite reminders and repeated requests, security amount when not refunded, the landlord adopted the method of filing objection which arose the*

Pooja Sharma
2016.10.20 11:49
I attest to the accuracy and
integrity of this document

> *occasion for the Courts below to ponder upon the assessment of the provision of rent law. The petitioner was hopeful of getting the refund but owing to the aforementioned findings, the suit intended to be filed, petitioner may not be effected owing to the impugned order.*
>
> *He submits that court fees for filing in the suit has already been purchased and same would be filed in a day or two.*
>
> *Let the hearing of the revision petition be deferred for a period of 10 days in order to enable the counsel for the petitioner to place on record the copy of suit for further direction.*
>
> *Adjourned to 18.10.2016".*

In compliance thereof, petitioner has placed on record the copy of the civil suit, Annexure P-11.

In view of the fact that the petitioner has preferred the suit for recovery of the security amount of Rs.25 lacs and keeping in view the order dated 30.09.2016, the present petition is disposed of by observing that the findings recorded by the Court below shall not affect the merits of the claim of the petitioner in the civil suit.

October 18, 2016 **(AUGUSTINE GEORGE MASIH)**
ps-I **JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No.

Pooja Sharma
2016.10.20 11:49
I attest to the accuracy and
integrity of this document