

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

CR No.7517 of 2016(O&M)

Date of decision:9.11.2016

Amritpal Singh

....Petitioner

VERSUS

Ajit Singh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Ajay Pal Singh, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

The present petition has been directed against order dated 07.01.2016 passed by the Additional District Judge, Sangrur whereby the appeal preferred by respondent No.1 against order dated 11.03.2015 passed by the Civil Judge (Junior Division), Sangrur has been allowed and application of the respondent for grant of interim injunction restraining the Municipal Council, Sangrur – respondent No.2 not to transfer tenancy of the shop in dispute in favour of the petitioner has been allowed.

Counsel for the petitioner has submitted that as the Court of appeal has passed an order of injunction, it would create serious complications for the petitioner, admittedly in possession of the shop in question. The Municipal Council, Sangrur has even stopped accepting rent from the petitioner. However, counsel has submitted that he does not press the petition on merits but directions may be issued to the Municipal Council, Sangrur to accept rent from the petitioner.

I have heard counsel for the petitioner and perused the impugned order.

In view of the above, without going into merits of the order, the petition stands disposed of. However, nothing stated in the order passed by the Court of appeal would cause prejudice to either of the parties at the time of final disposal of the suit.

So far as plea of the petitioner in regard to non-receipt of rent by the Municipal Council, Sangrur, the petitioner is always at liberty to take recourse to remedies in law for deposit of rent.

NOVEMBER 9, 2016
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no