

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

**Civil Revision No. 137 of 2008 (O&M)
Date of Decision: 20.07.2017**

Gurdial Singh

..... Petitioner/Landlord

Versus

S. Bhupinder Singh

..... Respondent/Tenant

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Neha Jain, Advocate for
Mr. Krishan Singh Dadwal, Advocate
for the petitioner-landlord.

Ms. Manpreet Ghuman, Advocate for
Mr. Prateek Mahajan, Advocate
for the respondent-tenant.

JASWANT SINGH, J. (ORAL)

CM No. 9566-CII of 2016

Present application, filed under Section 151 of the Code of Civil Procedure, on behalf of the applicant-petitioner/landlord, is for early hearing of the revision petition that was admitted on 08.02.2012, *inter alia*, on different grounds.

At the time of hearing, learned counsel for the applicant-petitioner states that the present revision petition has become infructuous, as the tenant/respondent has been vacated the demised premises and handed over the vacant and peaceful possession of the same to the petitioner/landlord.

In view of the statement of learned counsel for the petitioner, present application is allowed and the main revision petition is ordered to be taken up for today itself i.e. 20.07.2017.

Application stands disposed of.

Civil Revision No. 137 of 2008 (O&M)

Petitioner/landlord (Gurdial Singh) filed an eviction petition on the ground that the demised premises comprising Shop No. 580/1, Hall Bazar, Amritsar, has become unfit and unsafe for human habitation and thereby seeking to evict the tenant/respondent-S. Bhupinder Singh. The rent application was dismissed by the learned Rent Controller, Amritsar, vide its order dated 19.07.2004, which was further upheld by the Appellate Authority, Amritsar, vide impugned judgment dated 05.09.2007.

The present revision was partly allowed vide order dated 23.09.2009 passed by a Coordinate Bench of this Court on the ground that the application for additional evidence of the building expert(s) filed before the Appellate Authority was not decided, while deciding the appeal of the tenant/respondent. Accordingly, the matter was remitted back to the Appellate Authority, Amritsar for a decision afresh alongwith the application for additional evidence instituted by the petitioner/landlord to be decided, in accordance with law.

The tenant/respondent, thereafter, filed a Review Application bearing RA No. 151 of 2009 alongwith application for condonation of delay seeking the recalling of the order dated 23.09.2009.

At the time of hearing, learned counsel for the petitioner-landlord submits that the aforesaid review application was allowed, and the order dated 23.09.2009 was recalled, but the main revision petition was '*Admitted*' vide order dated 08.02.2012. She further submits that the present revision petition has become infructuous as the tenant/respondent has since vacated the demised premises by handing over the vacant and peaceful possession of the same to the landlord/petitioner.

In view of the statement made by learned counsel for the petitioner/landlord at the bar, no order is required to be passed in the present revision petition as the same has become infructuous.

Dismissed as infructuous.

Since the main revision petition has been dismissed as infructuous, therefore, the pending miscellaneous application(s), if any, stand(s) disposed of.

July 20, 2017

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No