

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.1584 of 2010 (O&M)

Date of Decision: 2.5.2017

Rajinder Kumar and another

..Petitioners

Vs.

Gurbachan Singh

..Respondent

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr.Gaurav Rana, Advocate for the petitioner.

Mr.Sumeet Mahajan, Sr.Advocate with
Mr.Amit Kohar, Advocate for the respondent.

G.S.SANDHAWALIA, J.

CM No.2528-CII of 2016 and CR 1584 of 2010

Application has been filed on the ground that vide order dated 22.4.2014 direction was given to the non applicants-tenants to pay mesne profits @ Rs.4000/- per month from the date of eviction i.e. 13.2.2010 to 7.10.2015. Resultantly, on non payment, application (A-6) was filed before the Rent Controller, Ludhiana for giving necessary directions for compliance which has been allowed on 14.9.2015 by noting that the petitioner-tenant has failed to show anything on record that order dated 22.4.2014 has been set aside. In spite of that payment has not been made.

Notice of the application has been issued to Mr.Gaurav Rana, Advocate who had appeared at one stage and submitted that he had no further instructions from the respondent and he had communicated the pendency of the present application on 17.3.2017.

Keeping in view the fact that the petitioner continues to be in

possession inspite of ejectment order and he has not been paying the rent the landlord is released from his undertaking given on 9.3.2010 whereby he had agreed that the execution shall not be pressed. The interim protection granted on 4.2.2011 and on other date also stands vacated. It is open to the landlord-petitioner to take possession of the premises in question.

Application stands disposed of.

On account of lack of instructions by the counsel, the present petition is also dismissed for want of prosecution.

2.5.2017
Meenu

(G.S.Sandhawalia)
Judge

Whether speaking/reasoned - Yes/No
Whether Reportable - Yes/No