

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

**Civil Revision No.3109 of 2013 (O&M)
Date of Decision: 01.09.2017**

Surjit Singh (now deceased) through his son and another

..... Petitioners

Versus

Gurdial Singh Malhi

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Mandeep Singh Sachdev, Advocate for the petitioners.

Mr. Surinder Sharma, Advocate for the respondent.

JASWANT SINGH, J. (ORAL)

The tenants are in revision directed against the order dated 25.03.2013, passed by the learned Rent Controller, Jalandhar, whereby while dismissing the application for leave to contest, the eviction orders have been passed.

The principal argument raised is that the respondent/landlord is a British Passport Holder and the issue as to whether he would be covered under the definition of a N.R.I. under the East Punjab Urban Restriction Act, 1949 is pending re-consideration before the Hon'ble Supreme Court.

This Court, while issuing notice of motion vide order dated 23.05.2013, had stayed the dispossession of the petitioners from the demised premises.

At the time of hearing, learned Counsel for the respondent/landlord submits that his client has since sold of the demised premises and no execution stands filed. He thus submits that the present revision has become infructuous as the respondent/landlord is not seeking the possession of the demised premises from the petitioners/tenants.

In response, learned Counsel for the petitioners/tenants concedes that there is no threat to the possession of the demised premises from the respondent/landlord.

In view of the above, the present petition is disposed of as infructuous.

September 01, 2017

Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>