

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

C.R. No. 4123 of 2016 (O & M)

Date of decision: 04.05.2017

Banso DeviPetitioner(s)

Versus

Sudesh Rani ...Respondent(s)

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

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

Mr. S.K.S. Bedi, Advocate, for the respondent.

G.S. SANDHAWALIA, J. (Oral)

Challenge in the present revision petition is to the order dated 07.06.2016 (Annexure P-6) passed by the Appellate Authority, Ambala whereby, the stay application was declined regarding restraining the respondent from raising any construction. Challenge has also been raised to the order dated 02.06.2016 (Annexure P-7) wherein, dispossession was apprehended but no protection had been granted.

It is not disputed that the Appellate Authority has now allowed the appeal of the petitioner on the ground that the eviction order was against a dead person and the original status of the applicant shall be deemed to be restored back from that date and she has been permitted to join the proceedings in the rent petition from the date of the ex parte order dated 19.09.2012 and the eviction order dated 26.09.2012 has been set aside. The parties have been relegated to the remedies before the Rent Controller for further proceedings.

Accordingly, the present revision petition has been rendered infructuous and is disposed of as such. In case the petitioner is aggrieved on any account, it is open for her to file appropriate application before the Rent Controller/Executing Court for the necessary relief.

04.05.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No