

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.5108 of 2017(O&M)

Date of Decision: 17.11.2017

Narender Kumar & ors.

... Petitioners

Versus

Vinod Kumar & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Parminder Kaur, Advocate, for
Mr. Vishal Gupta, Advocate,
for the petitioners.

Mr. Arun Jain, Sr. Advocate, with
Mr. Manvir Singh Rana, Advocate,
for the respondents.

RAJIV NARAIN RAINA, J.(Oral)

When this matter came up for preliminary motion hearing on
03.08.2017, this Court passed the following order:-

“Relies on a selection of four judgments including Division Bench judgment of this Court in Raghu Nath Jalota Vs. Romesh Duggarl & another, AIR 1980 Punjab 188 to contend that appellate authority under the Haryana Urban (Control of Rent and Eviction) Act, 1973 cannot remand case for entirely fresh decision, but can make only further enquiry through Controller by seeking a report and keeping appeal pending for receiving the same and then deciding the appeal on merits. Out of these judgments, two judgments arise out of Haryana Urban (Control of Rent and Eviction) Act, 1973. Photocopies of the judgments are retained on record for convenience of the Court.

Notice of motion, returnable by 26.10.2017.

It is inherent in the argument that stay should follow.

Meanwhile, further proceedings before the Rent

Controller shall remain stayed.”

Today the application i.e. C.M. No.24375-CII of 2017 filed by the petitioners has come up for hearing seeking leave of the Court to withdraw the present petition. Permission is granted.

The petition is dismissed as withdrawn.

17.11.2017
monika

(RAJIV NARAIN RAINA)
JUDGE

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