

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

CR No.5197 of 2017(O&M)

Date of Decision:-08.08.2017

Gopal Dass through LRs.

.....Petitioner.

Versus

Devi Dayal Sharma.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Saurabh Dalal, Advocate for the Petitioner.

JASWANT SINGH, J. (ORAL)

Tenant Gopal Dass (petitioner) was ordered to be evicted from the demised residential premises vide order dated 26.03.2013 passed by the learned Rent Controller, Rewari on the ground of “*personal necessity and building being unfit and unsafe for human habitation*” while permitting the clearance of the arrears of rent due w.e.f. October 2008 till the filing of the eviction petition in July 2009 at the admitted rate of rent of Rs.250/- per month. The findings were affirmed vide order dated 03.11.2015 passed by the learned Appellate Authority, Rewari while dismissing the appeal of the tenant.

The present revision was filed within limitation in the registry on 11.01.2016 and was returned with certain objections. Subsequently it was refilled on one or two occasions and finally after the removal of objections it was refilled on 03.08.2017 after a delay of 491 days.

Accordingly CM No.16525-CII of 2017 has been filed seeking condonation of 491 days delay in refilling the appeal.

Another CM No.16526-CII of 2017 has been filed seeking impleadment of the applicants Meera Devi, Harish and Nitesh as Lrs of Gopal Dass who is stated to have died on 16.7.2016. It is claimed that deceased has left behind no other legal heirs except the widow and the two sons/applicants.

At the time of hearing it is conceded that the eviction decree has since been executed through the process of the Court and possession of the demised premises has been delivered to the landlord.

In view of the aforesaid circumstances, present revision is disposed of as infructuous. No separate orders are required to be passed in the pending applications

(JASWANT SINGH)
JUDGE

August 08, 2017
Vinay

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