

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

Civil Revision No.6886 of 2017

Date of Decision: 06.10.2017

Usha Rani

..... Petitioner

Versus

Harvinder Singh Gill and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Navjot Singh, Advocate for the petitioner.

JASWANT SINGH, J. (ORAL)

Petitioner-Usha Rani is one of the LRs, upon whom the tenancy of the demised premises had devolved upon the death of the original tenant-Birbal Dass, along with her other brothers and sisters. In the eviction petition filed on 14.06.2011, *inter alia*, on the ground of personal necessity, the applicant/petitioner is recorded to have been served for 21.10.2015. Upon the summons, the signatures of the petitioner-Usha Rani are admitted, however, it is urged that the summons were without the copy of the eviction petition, thereby hampering the presence of Usha Rani for the date fixed on 16.11.2015. Due to her non-appearance, she was proceeded *ex parte*, vide order dated 16.11.2015.

It is conceded that co-tenant/brother Avinash Chand has filed the written statement, whereas the remaining co-tenants brothers and sisters have been proceeded *ex parte*. It is also conceded that the case is at the stage of arguments and decision.

The present revision is directed against the order dated 22.09.2017 (**Annexure P-1**), passed by the Rent Controller, Mansa, whereby the application of the petitioner under Order 9 Rule 7 CPC for setting aside the *ex parte* order dated

16.11.2015 has been partly dismissed, while permitting her to join the proceedings from the stage of the application.

After arguing for sometime and having failed to convince the Court on merits, learned Counsel for the petitioner prays for permission to withdraw the present petition.

In view of the above, the present petition stands dismissed as withdrawn.

October 06, 2017
Gagan

(JASWANT SINGH)
JUDGE

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