

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

CR No.7856 of 2017(O&M)

Date of Decision:-21.12.2017

Madhuri Sethi.

.....Petitioner.

Versus

Hardial Singh & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. R.S. Bajaj, Advocate for the Petitioner (tenant).

Mr. M.L. Sharma, Advocate for respondent nos.1 & 2.

JASWANT SINGH, J.(ORAL)

Petitioner (tenant) is in revision aggrieved against the order dated 26.10.2017 whereby the tenant's application Under Order 7 Rule 11 CPC for dismissing the ejectment petition filed by the respondents (landlords) under Section 13 of The Haryana Urban (Control of Rent & Eviction) Act, 1973 on various grounds has been dismissed.

The primary argument asserted in the application is that the demised premises were constructed in the year 2008 and thus 10 years having not elapsed since the date of construction, the eviction petition under the Rent Act was not maintainable.

Upon notice respondents (landlords) have put in appearance as well as through their counsel Mr. M.L. Sharma, Advocate.

Counsel for the respondents on instructions from his clients,

who are present in Court submits that his clients in view of the stated legal position would move an application for withdrawal of the eviction petition to enable them to seek their remedy in accordance with law.

In view of the statement made on behalf of the respondents, learned Counsel for the petitioner (tenant) concedes that nothing more survives for adjudication in the present revision petition.

Dismissed as infructuous.

(JASWANT SINGH)
JUDGE

December 21, 2017
Vinay

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