

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

116

CR-1081-2018 (O&M)
Date of Decision :17.4.2018

Harbhajan Kaur

....Petitioner

vs.

Gurdeep Singh

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Ms. Manjari Joshi , Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed for issuance of direction to the Executing Court to expedite the execution of the eviction order.

It may be mentioned that the eviction of the respondent had been allowed by the Rent Controller under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949. The same was challenged by way of filing of Civil Revision No. 2885 of 2016. That petition was disposed of on 31.5.2016 on the statement of the counsel for the tenant that he would vacate the premises voluntarily on or before 30.4.2017 and would also give an undertaking to that effect. Counsel for the petitioner state that pursuant to that order he filed an undertaking, but just before 30.4.2017 he locked the premises and went away. Consequently, after 30.4.2017 the petitioner filed an execution petition in which also the defense of the tenant has been struck off because he has not filed any reply. The prayer made is that in view of that now almost one year has elapsed from the time the premises were to be

handed over to the petitioner and it is prayed that the Executing Court be directed to expedite the handing over the possession to the petitioner, if necessary by police help. Counsel has also annexed the zimni orders. From the perusal of the zimni orders I find that prayer made is justified. Resultantly, petition is allowed and the Executing Court is directed to make sure that possession is handed over to the petitioner on or before 31.5.2018.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

17.4.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No