

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.4991 of 2008 (O&M)
Date of Order: 10.07.2018

Anand Jain

..Petitioner

Versus

Ram Kishan

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arun Jain, Sr. Advocate, with
Mr. Abhishek Dhull, Advocate,
for the petitioner.

Mr. Sunil Panwar, Advocate, with
Mr. Ram Kishan Yadav, the respondent

ANIL KSHETARPAL, J.

On 05.07.2018, parties had agreed to resolve their dispute. The petitioner-landlord had agreed to pay Rs.15,00,000/- to the respondent towards full and final settlement of his claim as a tenant. Tenant-respondent who was present in Court had accepted the offer. The case was adjourned enabling the landlord to bring the draft.

Today, a draft no.899967637 dated 06.07.2018 drawn on Indian Overseas Bank in the name of the respondent-tenant has been handed over to Ram Kishan, the respondent, who is present in person along with his counsel.

In the present case, ex-parte eviction order was passed against the tenant-respondent. The possession of the premises in dispute was handed over to the petitioner. Tenant-respondent had thereafter filed an application under Order 9 Rule 13 of the Code of Civil Procedure, which

was allowed and the present revision petition has been filed against the order allowing the application under Order 9 Rule 13 of the Code of Civil Procedure.

The revision petition was admitted and an interim stay was granted. Parties have resolved their dispute. It may be noted that throughout the period the landlord has remained in possession of the premises in dispute and consequently the tenant has been out of possession all this while.

In view of the aforesaid, the revision petition is disposed of as having been settled. The order under challenge is set aside and the ex-parte order of eviction dated 20.01.2003 shall stand restored.

July 10, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No