

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

**CR-6167-2018 (O&M)
Date of Decision:14.09.2018**

Sukhjinder Singh

... Appellant

Versus

Kanwaljit Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Mohit Rampal, Advocate for the Appellant.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Counsel for the petitioner has been heard and the case paper book has been perused.

2. Pleadings on record would reveal that vide order dated 25.04.2017 (Annexure P-1) passed by the Rent Controller, Fatehgarh Sahib, an application moved by the landlord/petitioner herein under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 seeking ejectment of the tenant/respondent from the demised shop was allowed on the ground of bonafide personal need.

3. The present revision petition has been filed raising a limited prayer for issuance of directions to the executing Court to proceed further in the matter and to finalize the execution proceedings initiated at the hands of the landlord pursuant to the ejectment order dated 25.04.2017 passed by the Rent Controller.

4. Apparently, the tenant against the order of ejectment has preferred an appeal before the Appellate Authority and which stands admitted.

5. Counsel has even adverted to the proceedings before the Appellate Authority, Fatehgarh Sahib and reproduced in paragraph 5 of the instant petition and which would indicate that even though an application for stay had been filed by the tenant but no stay has been granted till date.

6. Counsel has also referred to the zimni orders pertaining to the Executing Court and as reproduced in para 7 of the petition and which would further indicate that on 24.08.2017, report of the Execution Clerk had been noticed and it was recorded that no stay order has been received from the Appellate Court.

7. Short submission raised by counsel is that inspite of an ejectment order having been passed on 25.04.2017 and no stay having been granted by the Appellate Authority, the execution proceedings are lingering on without any justifiable basis.

8. Without making any observations on merits, lest it may prejudice the rights of the respondent/tenant, I deem it appropriate to dispose of the instant petition with a direction to the Executing Court to make an earnest endeavour to expedite execution proceedings.

Disposed of.

14.09.2018

harjeet

(TEJINDER SINGH DHINDSA)

JUDGE

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No