

DIWAKER GULATI
2018.10.09 15:23

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

CR No.6879 of 2018(O&M)

Date of decision: 9.10.2018

Rakesh Sharma

.....Petitioner

VERSUS

Arun Kumar

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Anil Kumar Rana, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

The precise grievance of the petitioner is that during pendency of appeal against the eviction order, the Appellate Authority has not stayed execution of eviction order, in view of order dated 24.09.2018.

Perusal of the impugned order would reveal that Appellate Authority has noticed that the appellant has to pay arrears of rent, therefore, application for grant of stay is dismissed. Counsel for the petitioner has submitted that the petitioner is ready to pay upto date arrears of rent within a period of 15 days.

In view of the above, present petition is disposed of with liberty to the petitioner to file another application for stay thereby expressing his willingness to deposit upto date arrears of rent as well as future rent. In case such an application is filed by the petitioner within 7 days, same shall be decided by the Appellate Authority within a period of 3 days from the date of its filing, in accordance with law. In order to enable the petitioner to file application before the Appellate Authority, execution of eviction order shall be kept in abeyance for a period of 7 days.

In case the petitioner fails to file the application within a period of 7 days, the respondent shall be at liberty to proceed with execution, if any, filed by him.

OCTOBER 9, 2018

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no