

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.8426 of 2016(O&M)
Date of Decision: 15.12.2018

Sher Singh
Versus
Premwati

.....Petitioner
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Manoj Kaushik, Advocate
for the petitioner.

Mr. Tanmoy Gupta, Advocate
for the respondent.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner/tenant was ejected from the demised shop vide order dated 24.08.2013 passed by the Rent Controller, Faridabad. An appeal was preferred before the Appellate Authority. Vide order dated 23.09.2013, operation of the impugned order of eviction was stayed by the Appellate Authority.

[2]. Thereafter, vide order dated 03.07.2014 passed by Civil Judge (Junior Division), Faridabad, bailiff was directed not to execute the warrants of possession in respect of demised shop. The appeal was dismissed in default on 17.03.2015 and during that period on 01.05.2015, warrants of possession were

executed and possession of the demised shop was delivered to the respondent/landlord. The execution was satisfied.

[3]. Since the appeal was not in operation at the time when delivery of possession was given to the respondent/landlord, therefore, this revision petition against the order vide which application for restoration of the appeal was dismissed on 23.09.2013 has become infructuous.

[4]. Dismissed as having become infructuous.

15.12.2018

Prince

**(RAJ MOHAN SINGH)
JUDGE**

**Whether reasoned/speaking
Whether reportable**

**Yes/No
Yes/No**