

Civil Revision No. 6311 of 2018 (O&M)

Date of decision : May 24, 2019

Rajneesh Chauhan

.....Petitioner

Versus

Suneet Tayal

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. G.S. Sirphikhi, Advocate
for the petitioner.Mr. Vikas Bahl, Senior Advocate with
Mr. Akshay Rawal, Advocate
for the respondent.

LISA GILL, J.

Notice of motion was issued in this petition subject to deposit of 50% of the arrears of rent in terms of order dated 19.07.2018 passed by the learned Appellate Authority, Chandigarh. Petitioner was permitted to deposit the arrears within eight weeks. It is further observed that the petitioner shall regularly deposit a sum of ₹20,000/- per month as mesne profits by the 10th of each month, without prejudice to his rights.

As per office report, notice could not be issued to the respondent as no receipt regarding deposit of arrears of rent in terms of order dated 28.09.2018 was produced.

Mr, Vikas Bahl, Senior Advocate, however, appears on behalf of the respondent and submits that necessary deposit has not been made by the petitioner. In fact, SLP (c) No. 777 of 2019 filed by the petitioner against interim order dated 28.09.2018 was dismissed by the Hon'ble Supreme Court, though time to effect deposit in terms of order dated

28.09.2018 was extended by a period of one month. Necessary deposit, it is submitted, has still not been made.

Learned counsel for the petitioner is unable to deny the above said factual position. It is submitted that he has specific instructions to withdraw this petition.

Petition is accordingly, dismissed as withdrawn.

May 24, 2019
rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No