

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

**CM No. 7283-CII of 2019 in/and
Civil Revision No. 834 of 2010 (O&M)
Date of Decision: 05.04.2019**

Anil Kakria

..... Petitioner

Versus

D.R. Sharma and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rohit Nagpal, Advocate for
Mr. Santosh Sharma, Advocate
for the petitioner-tenant.

Mr. Kapil Khanna, Advocate for
Mr. G.S. Attariwala, Advocate
for the respondents-landlords.

JASWANT SINGH, J. (ORAL)

Petitioner-tenant has filed the aforementioned Revision Petition (*CR No. 834 of 2010*) directed against the order dated 14.02.2008 passed by the Rent Controller, Chandigarh; **as also** Appellate Order dated 14.12.2009 passed by the Appellate Authority, Chandigarh, affirming the order of the Rent Controller, whereby the tenant-petitioner has been ordered to be evicted from the demised premises comprising the entire basement except 353 Square Feet area on the back side adjoining staircase of SCO No. 70-71, Sector-8-C, Madhya Marg, Chandigarh, *inter alia*, on the ground of “Personal Necessity” of the landlords.

This Court, while issuing notice of motion vide order dated 08.02.2010, had stayed the operation of the concurrent orders of eviction subject to payment of rent.

Subsequently, the Revision Petition was ordered to be “Admitted” vide order dated 17.03.2011, while affirming the interim order.

During the pendency of the Revision Petition, the landlords filed an application bearing *CM No. 17578-CII of 2017* for determination and payment of *mesne profits* of the demised premises. Upon notice of the aforesaid application, a reply to the same stands filed by the petitioner-tenant.

Today, another application bearing *CM No. 7283-CII of 2019* stands filed by the counsel for petitioner-tenant, seeking unconditional withdrawal of the main revision, in view of the parties having arrived at a compromise, whereby the possession of the demised premises stands delivered to the landlords (respondents) and all the amounts stands cleared between the parties. The said application is duly supported by the affidavit of the applicant-tenant (petitioner).

Upon notice of the aforesaid application (*CM No. 7283-CII of 2019*), Mr. Kapil Khanna, Advocate for Mr. G.S. Attariwala, Advocate for landlords (respondents) accepts notice, and acknowledges the factum of the compromise, and further concedes that the possession stands retrieved to the landlords with all the arrears cleared. Mr. Kapil Khanna also states that he has no objection if the main revision petition is taken up today itself and be ordered to be disposed of as infructuous.

In view of the aforesaid agreed stand, **main revision petition** is taken up today itself, and is, accordingly, ordered to be **disposed of as infructuous.**

Since the main case has been decided, no orders are required to be passed in the pending miscellaneous application(s), the same stand(s) disposed of.

April 05, 2019

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(JASWANT SINGH)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No