

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

CR No.4015 of 2019 (O&M)
Date of Decision: July 04, 2019

Munish Jaiswal

...Petitioner

Versus

Tilak Raj Jaiswal (since deceased) through his LRs and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G.C. Shahpuri, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

1. This is a civil revision that has been filed under Article 227 of the Constitution of India with a prayer for issuing necessary directions to the executing court to decide the Execution Application No.140 of 2017 at the earliest.

2. Learned counsel for the petitioner herein contends that despite the order of ejectment having been passed in favour of the petitioner on 21.05.2015, he has not been put in possession of the premises in question. Even the appeal filed against the order of ejectment stood dismissed on 26.04.2017 by the Appellate Authority and the revision petition filed, qua part of the premises in question, has already been dismissed by this court. It is contended that execution application stood filed thereafter on 20.05.2017 is not being decided, as the respondents herein are moving one frivolous

application after another. It is further contended that the objections filed to the execution application already stand dismissed. The limited prayer made in the civil revision is for an early disposal of the execution application for possession to be handed over to the petitioner/decreed-holder.

3. I have heard learned counsel for the petitioner and have also gone through the pleadings of the case.

4. Evidently from the record it is clear that ejectment has been ordered against the respondents herein by the Rent Controller and the appeal filed by the respondents has already been dismissed. There is nothing on record to substantiate the fact that the respondents-tenants have been able to obtain a stay order from this court against the order of ejectment. This would also be evident from the fact that the objections filed to the execution application stand dismissed by the executing court on 10.08.2018 and the third party objections too stand dismissed. Therefore, this court without issuing notice to the respondents herein, deems it appropriate to issue a direction to the executing court to decide the execution application as early as possible, preferably within a period of three weeks from the date of receipt of certified copy of this order.

5. The civil revision in hand stands disposed of in *limine* accordingly.

July 04, 2019
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No