

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

(Heard through VC)

CM Nos.9594, 9597 -CII-2020 in/and
CR No.3249 of 2016 (O&M)
Date of Decision: November 05, 2020

Sant Ram Gulati

...Petitioner

Versus

Radhey Shyam

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Akash Vashisth, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

By way of misc. application bearing CM No.9594-CII-2020, counsel for the petitioner seeks permission to place on record affidavit of respondent dated 31.01.2020 as Annexure P-9 and by way of misc. application bearing CM No.9597-CII-2020, counsel for the petitioner seeks preponement of the hearing in the main civil revision (CR-3249-2016) with the permission to withdraw the same.

The main civil revision arise out of an eviction application filed under Section 13 of Haryana Urban (Control of Rent and Eviction) Act, 1973. Petitioner-Sant Ram Gulati had filed the said ejectment application, which was contested by respondent-Radhey Sham. The matter was heard by the Rent Controller, Fariabad, who allowed the said ejectment application

on 28.08.2015, however, the said order of the Rent Controller was reversed by the Appellate Authority by an order dated 20.02.2016. Aggrieved against the said order passed by the Appellate Authority, the landlord-petitioner has preferred the instant civil revision petition.

Notice of motion was issued in the said matter, however, due to paucity of time, the matter was never listed for appearance of the respondent.

Counsel for the petitioner submits that respondent-Radhey Sham has given an affidavit dated 31.01.2020 wherein, he has affirmed that the matter stands settled between the parties and in terms of the settlement, vacant possession of the shop has been given to the petitioner peacefully on 17.08.2019 along with the keys. The respondent has also affirmed that he has received an amount of ₹ 6 lacs as full and final payment in lieu of settlement of the dispute.

In view of the aforesaid reasons, both the applications stand allowed.

Affidavit of the respondent is taken on record as Annexure P-9 and the civil revision stands dismissed as withdrawn, being compromised.

November 05, 2020
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No