

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 7954 of 2019 (O&M)

Date of Decision: 11.02.2020

Vikram Singh

... Petitioner(s)

Versus

Sh. Jainendra Gurukul, Panchkula

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal

Present: Mr. Shailender Singh Gill, Advocate
for the petitioner(s).

Mr. Adarsh Jain, Advocate
for the respondent.

Anil Kshetarpal, J.

It is sad that the order of ejectment, passed under the Rent Act on 02.12.2005, is still to be implemented. The tenant has been making repeated attempts to stall execution of the eviction order. Initially, an attempt was made by filing an application under Order IX Rule 13 CPC to set aside the *ex parte* ejectment order, which was dismissed by the Rent Controller, the Appellate Authority as well as the High Court. Thereafter, the tenant filed a separate suit for declaration challenging the order of eviction, which is again pending.

Now by devising a new method, an application has been filed before the learned District Judge to transfer the execution petition to the same Court where a separate suit is pending. The learned District Judge, after considering all the aspects of the matter, has chosen to dismiss the application. The execution proceedings are independent and cannot be

linked with the suit filed. Hence, no ground is made out to interfere.

Dismissed.

(Anil Kshetarpal)
Judge

February 11, 2020
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No