

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

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**CM-1357-CII-2021 in/and
CR-1183-2015
Decided on : 23.03.2021**

Ashok Kumar

...Petitioner

Versus

Ishwar Chand (D) through his L.Rs

... Applicant/Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present:- Mr. Adarsh Jain, Advocate
for the applicant/respondent.

Mr. Chirag Wadhwa, Advocate for
Mr. Ajaivir Singh, Advocate for the petitioner.

(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

CM-1357-CII-2021

Application has been filed for the withdrawal of the eviction petition with permission to file a fresh ejectment petition, by the landlord. The same is on the ground that the ejectment was sought on the personal necessity of the landlord for his son who was running a Chemist Shop and has since expired. In such circumstances, permission is now sought to file a fresh ejectment petition.

Mr. Chirag Wadhwa, has put in appearance on behalf of the petitioner-tenant. He submits that he has no objection to the said course of action, subject to the condition that interim order dated 27.05.2015, whereby conditional stay was ordered subject to payment of Rs.4,000/- per month as damages, also stands vacated.

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Mr. Jain, has no objection to the same.

Since, the main eviction petition itself is being withdrawn, all interim orders passed in the present revision will also naturally come to an end. Accordingly, main petition is taken on board.

CM stands disposed of.

Main case

Keeping in view the above, permission is granted to the landlord for withdrawal of the eviction petition filed before the Rent Controller. The present revision petition as such has been rendered infructuous and is disposed off as such with the aforesaid liberty.

MARCH 23, 2021

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No