

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

CR No. 2481 of 2015

DATE OF DECISION :- December 15, 2022

Satish Kumar Sharma

...Petitioner

Versus

Rakesh Khurana

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Amar Vivek, Advocate
with Ms. Bhawana, Advocate for the petitioner.

Mr. Akshay Bhan, Sr. Advocate
with Mr. Santosh Sharma, Advocate for the respondent.

In an ejectment petition filed by petitioner Rakesh Khurana against respondent Satish Kumar Sharma, which was pending before Rent Controller, Chandigarh following order was passed by Rent Controller on 23.1.2015 :-

“Today learned counsel for the petitioner Sh. Rajesh Sood, Advocate has suffered a statement that he does not want to press his application for withdrawal of present rent petition with permission to file rent petition on same ground. He only withdraws the present writ petition reserving his right to file fresh rent petition for entire premises. Heard. In view of the statement so suffered by learned counsel for the petitioner, the present petition stands dismissed as withdrawn. File be consigned to the record room.”

The respondent is feeling aggrieved by the order contending that since in the interim order statement of counsel for the petitioner has

been referred to who while withdrawing the Rent Petition reserved his right to file fresh Rent Petition for entire premises, according to learned counsel for the revision petitioner though the Rent Controller has not specifically granted permission to the petitioner to file fresh Rent Petition but according to his interpretation such permission has been granted indirectly. However, learned Senior counsel for the respondent states that there is no ambiguity in the order which is very clear.

After hearing both the counsel I find that vide the impugned order the ejectment petition has been dismissed as withdrawn. If the revisionist has got any objection to any fresh petition filed by the petitioner landlord, he may take all the objections available to him in those proceedings under law.

With such observations, revision petition stands disposed of.

**(H.S. MADAAN)
JUDGE**

December 15, 2022

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No