

**107-1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

1.CR-5846-2016 (O&M)

Gurmit SinghPetitioner

Versus

Sadha Singh and others
..Respondents

2.CR-5847-2016 (O&M)

Jeet SinghPetitioner

Versus

Sadha Singh and others
..Respondents

3.CR-5862-2016 (O&M)

Amrik SinghPetitioner

Versus

Sadha Singh and others
..Respondents

Date of decision: 03.08.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Rohit Kapoor, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

By this order, three civil revision petitions i.e CR-5846-2016, CR-5847-2016 and CR-5862-2016 shall stand disposed of.

The various appeals filed by the tenant have been dismissed as infructuous as the landlord has taken back the possession pursuant to an order of eviction passed by the Rent Controller. The first appeal filed by the tenant before the appellate authority is required to be decided on merits. Even after the possession has already been taken back by the

landlord, still the appellate authority has power to restitute, if the order of eviction is reversed. Thus, the order passed by the appellate authority suffers from perversity. Hence, the same is set aside. The respective appeals are restored to their original numbers. The appellate authority is requested to decide the appeals on merits within a period of six months. The parties through their counsel are directed to appear before the appellate authority on 08.09.2022.

All the pending miscellaneous applications, if any, are also disposed of.

03.08.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE