

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

202

- 1. CR-4530-2019
Date of Order: 14.03.2022**

MUNISH BAKSHI

..Petitioner

Versus

NEERU MODGIL AND ANOTHER

..Respondent

- 2. CR-4536-2019**

MUNISH BAKSHI

..Petitioner

Versus

NEERU MODGIL AND ANOTHER

..Respondent

- 3. CR-4541-2019**

MUNISH BAKSHI

..Petitioner

Versus

NEERU MODGIL AND ANOTHER

..Respondent

- 4. CR-4596-2019**

MUNISH BAKSHI

..Petitioner

Versus

NEERU MODGIL AND ANOTHER

..Respondent

- 5. CR-4598-2019**

MUNISH BAKSHI

..Petitioner

Versus

NEERU MODGIL AND ANOTHER

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Rajesh Punj, Advocate
for the petitioner.**

Mr. Hitesh Verma, Advocate
for respondent No.1.

Mr. Tribhuwan Singla, Advocate
for respondent No.2.

ANIL KSHETARPAL, J(Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

Through this order, CR-4530-2019, CR-4536-2019, CR-4541-2019, CR-4596-2019, and CR-4598-2019, shall stand disposed of.

The separate applications filed by the petitioner herein for becoming party in the pending application under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973, have been dismissed by the Rent Controller. In substance, the petitioner claims that he is in possession of the tenanted premises under an agreement to sell. He further submits that the tenants have already vacated the tenanted premises and have handed over the possession to the petitioner in the year 2016. He further claims that the eviction petition has been filed against the tenants who have already handed over the possession to the petitioner.

While deciding an ejectment application, the dispute between the landlord and tenant is required to be adjudicated. Inter se, the dispute between the various persons who claim ownership cannot be adjudicated.

It is also not in dispute that a suit filed by the petitioner seeking specific performance of the agreement to sell is pending.

The learned counsel representing the respondent has stated that they do not wish to execute the eviction decree, if any, passed in the application under Section 13 against the petitioner as he is not in possession

of the property. He submits that the petitioner is neither the owner nor in possession of the tenanted premises.

In view of the statement of the learned counsel representing the respondent No.1 that he will not seek dispossession of the petitioner if he is in possession under the garb of eviction order passed in the application filed under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973, the petitioner's apprehension ceased to exist. Consequently, the revision petitions are rendered infructuous.

The respondent No.1 shall remain bound by stand taken before this Court by her counsel.

With these observations, the revision petitions are disposed of.

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

March 14th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*