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

CWP-19143-2022.

Decided on: August 29, 2022.

Parbodh Chander Loomba

.. Petitioner

VERSUS

The Additional Civil Judge (Sr. Divn,) Khanna and others

.. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

**PRESENT Mr. Anuj Balian, Advocate,
for the petitioner.**

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of mandamus directing the expeditious disposal of the Execution Petition No.23 of 2020 titled as “Parbodh Chander Loomba Vs. Gopal Krishan.”

Learned counsel appearing on behalf of the petitioner has pointed out that the execution petition has been filed by the petitioner in the year against the respondents under Section 13 of the East Punjab Urban Rent Restrictions Act, 1949 seeking ejectment of the said respondents on the ground of personal necessity.

The aforesaid writ petition seeking eviction of the tenants

was allowed by the Rent Controller vide judgment dated 15.12.2016 and the respondents-tenants were directed to hand over the vacant possession of the demised premises within a period of three months and that the appeal preferred by the respondents-tenants before the Appellate Authority was also dismissed vide judgment dated 16.01.2020. Civil Revision No.839 of 2020 was filed before this Court which came up for hearing on 05.02.2020 wherein the counsel representing the respondents-tenants confined his prayer only to grant of reasonable time to vacate the premises and that that notice had been issued to the petitioner only to that limited aspect. Said Civil Revision No.839 of 2020 is stated to be pending and no interim order has been passed therein. He contends that the execution petition for execution of the order passed by the Rent Controller is now pending before the executing Court and that the matter has been adjourned for nearly 15 times with no substantive proceedings. He contends that the petitioner shall be satisfied in case a direction is issued to expeditiously adjudicate the execution petition preferred by the petitioner.

I have heard the learned counsel for the petitioner and in view of the order which is proposed to be passed, there is no necessity to effect service on the respondents.

It is noticed that the execution petition is being adjourned for filing objections by the respondents. Various opportunities have already been availed by the respondent to file objections and that as per order sheet, there is no representation on behalf of the judgment debtors on the last two successive dates.

Taking into consideration the fact that the respondents-tenants had been directed to hand over the vacant possession of the premises within a period of three months a per order dated 16.01.2020, passed by the Rent Controller and a period of nearly 6 years has elapsed since then and possession has not yet been handed over, the executing Court is directed to look into the said aspect and fix a time-frame within which the pleadings are to be completed by the respective parties and to take appropriate steps for expeditious disposal of the execution petition.

Present petition is disposed of accordingly.

August 29, 2022.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No