

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

CR-3328-2009 (O&M)

Date of decision : 15.12.2022

M/s Sat Pal and Sons & Ors.

... Petitioner(s)

Versus

Chuni Lal & Ors.

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. S.S. Kamboj, Advocate for the petitioners.

Mr. Vaibhav Narang, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

CM-4946-CII-2016

This is an application filed by the applicant-respondents for fixing an actual date of hearing in the main revision petition.

Learned counsel for the non-applicant/petitioners states that he has no objection if the present application is allowed and some actual date of hearing is fixed in the main revision petition.

In view of the above and for the reasons stated in the application, the same is allowed. With the consent of learned counsel for the parties, the main revision petition is taken on Board today itself.

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Learned counsel for the respondents, on instructions, states that since there was non-compliance of the order dated 09.10.2018, vide order

dated 10.10.2019 the Executing Court directed warrants of possession to be issued. Subsequently, the premises were vacated by the petitioners on 11.01.2021. Learned counsel for the respondents would further contend that now only the question of the arrears needs to be decided.

Learned counsel for the petitioners states that despite repeated attempts, he is unable to contact the petitioners and he has no instructions in the matter.

Learned counsel for the respondents states that the present revision petition may be dismissed as having been rendered infructuous leaving the question of recovery of rent/mesne profits to be adjudicated in appropriate proceedings.

In view of the above, the present revision petition is dismissed as having been rendered infructuous. The question of recovery of rent/mesne profits is left open to be determined in the appropriate proceedings. Pending applications, if any, also stand disposed off.

**(ALKA SARIN)
JUDGE**

15.12.2022
Yogesh Sharma

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO