

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 111

Civil Revision No.4187 of 2022 (O & M)
Date of Decision: November 17, 2022

M/s K & M Hospitalities & others

..... PETITIONER (S)

VERSUS

M/s IFCL Ltd.

..... RESPONDENT(S)

. . .

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

. . .

PRESENT: - Mr. Varun Veer Chauhan, Advocate, for the petitioner.

Ms. Sbhubreet Saron, Advocate, for the respondent.

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Tribhuvan Dahiya, J (Oral)

This revision petition has been filed against orders of eviction dated 29.08.2022 and 15.09.2022, whereby the petitioner-tenant has been ordered to be evicted from the demised premises on account of non-payment of arrears of rent pursuant to provisional assessment by the Rent Controller in terms of law laid down by the Supreme Court in *Rakesh Wadhawan & Ors. Vs. M/s Jagdamba Industrial Corporation & Ors.*, AIR 2002 SC 2004.

It is not in dispute that provisional assessment of rent was made by the Rent Controller vide order dated 02.08.2022 (Annexure P-1), against which the petitioners' appeal was dismissed by

the Appellate Authority vide order dated 25.08.2022 (Annexure P-1/A).

On failure to deposit the provisionally assessed rent by the due date, i.e., 28.08.2022, the eviction petition was allowed vide order dated 29.08.2022.

Learned counsel for the petitioner states that the petitioners, infact, have vacated the demised premises and possession delivered.

In view of the aforesaid, there is no ground to entertain the petition.

Dismissed.

Since the main petition stands decided, all pending applications, if any, are disposed of as having been rendered infructuous.

(Tribhuvan Dahiya)
Judge

November 17, 2022
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No