IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

294 **CR No.4782 of 2022**
Date of Decision : 20.12.2022

M/s Om Shakti Enterprises Safidon and Another ....Petitioners

VERSUS

Pushpa Rani ....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Munish Kumar Garg, Advocate for the petitioners.

Mr. Deepak Vashishth, Advocate for the respondent.

ALKA SARIN, J. (Oral)

Mr. Deepak Vashishth, Advocate has put in appearance on behalf of the respondent and states that he has no objection if one opportunity is granted to the defendant-petitioners to pay the rent/mesne profits as due from 01.10.2017 onwards @ Rs.15,000/- per month as stated in the application for striking off their defence. Learned counsel for the respondent though has pointed out that opportunity was granted vide order dated 04.08.2022 to the defendant-petitioners to deposit the amount, however, they failed to do so and even on the adjourned date i.e. 10.08.2022 the amount was not deposited and rather an application under Order VII Rule 11 of the Code of Civil Procedure, 1908 was filed.

Be that as it may, in order to do complete justice between the parties and in view of the very fair statement made by the learned counsel for the respondent, one opportunity is granted to the petitioners to deposit the rent/mesne profits for the use and occupation of the suit property w.e.f. 01.10.2017 upto date on or before 20.01.2023. Incase the amount is not

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Chandigarh

deposited as directed the present revision petition shall be deemed to have been dismissed.

It is made clear that in case any amount is found to have been paid in excess, the same shall be adjusted at the time of final decision of the case.

The present revision petition stands disposed off in the above terms. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

20.12.2022
jk

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

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Chandigarh