

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

115

Civil Revision No.5545 of 2022
Date of Decision: 29th November, 2022

Kuldeep Singh Sandhu

...Revisionist-Petitioner

Versus

Davinder Kumar & Others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present :- Mr. Manuj Nagrath, Advocate,
for the revisionist-petitioner.

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MEENAKSHI I. MEHTA, J.(ORAL)

The revisionist-petitioner-Objector (for short 'the Objector') herein lays challenge to the order dated 11.10.2022 (Annexure P-8) passed by learned Additional Civil Judge (Senior Division) Bathinda (for short 'the Executing Court') in the Execution Application No.21 of 2020, whereby the Objections, as filed by him, have been dismissed.

2. I have heard learned counsel for the petitioner-Objector, at the preliminary stage, in the instant petition and have also perused the file carefully.

3. Learned counsel for the petitioner-Objector contends that in fact, the Objector is in possession of the demised premises and is running the business therein under the name and style of M/s Bath Paradise and he had filed the said Objections in this regard but vide the impugned order, the Executing Court has erroneously dismissed the same and the said order deserves to be set aside.

4. However, I do not find any force in the above-raised contention because Annexure P-9 is the order dated 30.07.2019 passed by learned Rent Controller, Bathinda, dismissing the application moved by the Objector under Order 1 Rule 10 read with Section 151 CPC for being impleaded as the respondent in the Rent Petition wherein the eviction order dated 21.10.2019 (Annexure P-2) has, finally, been passed against the proforma respondent No.3-tenant in respect of the demised premises. Learned counsel for the Objector submits that the Objector did not challenge the order Annexure P-9, meaning thereby that the same has attained the finality. Then, Annexure P-5 is the order dated 22.02.2022 whereby the Co-ordinate Bench has dismissed the Revision Petition bearing CR No.579 of 2022 preferred by the proforma respondent No.3-tenant to assail the order of the Appellate Authority qua the dismissal of the appeal filed by him against order Annexure P-2. There is nothing on the record to show that order Annexure P-5 has been challenged by the said tenant and has been set aside. In these circumstances, it becomes explicit that the Executing Court has rightly dismissed the Objections filed by the Objector.

5. As a sequel to the fore-going discussion, it follows that the impugned order does not suffer from any illegality, infirmity, irregularity or perversity so as to call for any interference by this Court. Resultantly, the revision petition in hand, being *sans* any merit, stands dismissed.

29.11.2022

Seema

(MEENAKSHI I. MEHTA)
JUDGE

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