

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

**COCP-2134-2018 (O&M)
Date of decision: 19.04.2023**

Vivek Anand

... Petitioner

Vs.

Vishal Anand

.. Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.K. Rana, Advocate
for the petitioner.

Mr. Amit Jaiswal, Advocate
for the respondent.

ARVIND SINGH SANGWAN, J. (ORAL)

The petitioner alleges violation of the order dated 17.04.2018 passed in CR-2419-2018 filed by the petitioner.

Brief facts of the case are that the petitioner filed the aforesaid revision petition challenging the order of eviction passed by the Courts below, in which order of status quo regarding possession was granted. Subsequently, on 30.01.2019, aforesaid revision petition was disposed of in presence of counsel for the petitioner by passing the following order: -

“Prayer in the present revision petition filed under Article 227 of the Constitution of India is for setting aside the order dated 03.07.2018 (Annexure P-6) passed by learned Civil Judge (Junior Division), Ambala, whereby the Judgment Debtor i.e. petitioner

herein was directed to hand over the vacant possession of suit property to the Decree Holder i.e. respondent.

At this stage, learned counsel for the petitioner, on instructions from his client who is present in Court, states that the petitioner may be permitted to withdraw the present petition, however, with permission to stay in the premises in his possession i.e. a room on the first floor till April 15, 2019 as the petitioner's son is required to appear in +2 examination in the coming month. Shifting from the place at this crucial stage may disturb his education. However, petitioner undertakes that he will clear all the outstanding dues on account of water and electricity charges till 15.04.2019. He further states that the petitioner shall not seek any extension to vacate the premises in any manner and shall not create any hindrance in the smooth business of the respondent on the building in his (respondent's) possession.

Considering the aforesaid undertaking, the present revision petition is dismissed as withdrawn.

The SHO, Ambala Sadar is directed to visit the place where the petitioner is residing fortnightly and to watch his activities/movements and in case, it is found that the petitioner is creating any problem for the respondent in any manner, to act in accordance with law.

IOIN-CR-4423-2018

Since in the main revision petition, the Judgment Debtor has been granted time to vacate the premises till 15.04.2019, no separate order is required to be passed on the request made by the learned Sessions Judge, Ambala.

IOIN stands disposed of accordingly.”

Learned counsel for the respondent submits that the possession has already been handed over to the petitioner in April, 2019 itself; a fact, which is not disputed by learned counsel for the petitioner.

In view of the above, present petition is rendered as infructuous.

**[ARVIND SINGH SANGWAN]
JUDGE**

19.04.2023
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No