

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CR-4322-2015 (O&M)
Date of Order:11.10.2023

The Oriental Insurance Company Limited

.Petitioner

Versus

Ishar Kaur and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Vinod Chaudhari, Advocate,
for the petitioner.**

**Mr. Pritam Singh Saini, Advocate and
Ms. Vibha Nagar, Advocate, for the respondents.**

ANIL KSHETARPAL, J

1. The learned counsel representing the petitioner submits that the revision petition has been rendered infructuous, however, the petitioner-company has paid the excess rent, which is liable to be refunded,
2. On the other hand, the learned counsel representing the respondent-landlord submits that, in fact, another sum of Rs.4,00,000/- is recoverable from the petitioner-company and the matter in this regard is pending before the Executing Court.
3. In this revision petition, the order passed by the courts below while dismissing the application filed under Order IX Rule 13 CPC has been challenged. The tenant was ordered to be evicted ex-parte. The application filed by the tenant to set aside the ex-parte eviction decree was dismissed not only by the Rent Controller but also by the Appellate Authority. Now the possession has been handed over to the respondent-landlord.

4. In these circumstances, the present revision petition has been rendered infructuous and is disposed of as such.
5. The parties are left with liberty to avail their alternative remedy with regard to the rent, in accordance with law.
6. All the pending miscellaneous applications, if any, are also disposed of.

October 11, 2023
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO