

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

CR-6307-2011 (O&M)

Date of Decision: September 21, 2023

REKHA

..... Petitioner

Versus

PARVEEN KUMAR AND ORS.

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Munish Mittal, Advocate for the petitioner.

Mr. Sanjiv Gupta, Advocate for respondents.

HARKESH MANUJA, J. (ORAL)

By way of present revision petition, challenge has been made to an order dated 20.09.2011 passed by the Appellate Authority whereby an application filed under Section 5 of Limitation Act, 1963 at the instance of petitioner-tenant was rejected.

2. In the present case an eviction petition came to be filed at the instance of respondent against the petitioner from the demised premises i.e. the shop. In the said petition, the Rent Controller vide order dated 09.02.2011 made assessment of provisional rent, though initially a revision petition was filed against the said order, however the same was later withdrawn seeking permission to file First Appeal.

3. Upon filing of First Appeal along with application under Section 5 of Limitation Act, 1963, the prayer made for seeking condonation of delay was declined by First Appellate Court and that is how the present revision petition came to be filed.

4. Learned counsel for the petitioner on instructions submits that petitioner-tenant has already vacated the premises and possession stands handed over to the respondent-landlord, thereby rendering the present revision petition as infructuous.
5. Disposed of as having been rendered infructuous.

21.09.2023
tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

