

2023:PHHC:158355
**134 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-665-2022 (O&M)
Date of decision: 11.12.2023

Neeraj Manchanda

....Petitioner

Versus

Jaswinder Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Govind Chauhan, Advocate for the petitioner

Mr. Lalit Goyal, Advocate for the respondents

ANIL KSHETARPAL, J (Oral)

1. This petition has been filed by the tenant, who was ordered to be evicted by the Rent Controller vide order dated 24.07.2019. The first appeal before the appellate authority was filed, which is stated to be pending for 29.01.2024.

2. In the execution petition, vide order dated 12.04.2021, the Executing Court issued warrants of possession, without issuing notice to the tenant as the landlord made a statement that the execution petition has been filed within a period of 2 years from the date of ejectment and no appeal against this order has been filed. It is evident that the aforesaid statement was not correct.

3. Keeping in view the aforesaid facts, the revision petition is disposed of with the observation that the further proceedings in the execution petition shall be kept in abeyance till

the first appeal filed by the tenant is decided. The appellate authority is directed to ensure the final decision in the tenant's appeal, within a period of next three months.

4. Disposed of.

5. All the pending miscellaneous applications, if any, are also disposed of.

11.12.2023

rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No