

CR-1443-2023 (O&M)

- 1 -

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

286

CR-1443-2023 (O&M)
Decided on : 13.07.2023

Inderjit Singh

... Petitioner(s)

Versus

Satish Kumar and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Jaideep Verma, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. Mr. Shubham Goyal, Advocate, puts in appearance on behalf of respondent No.1, and files his *Vakalatnama* in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place in case file.
2. Present revision petition has been filed by tenant to challenge the judgment of eviction dated 13.12.2019, passed by Rent Controller, Rupnagar.
3. On 03.05.2023, following order was passed:-

“Learned counsel for the petitioner, inter alia, submits that respondent No.1/landlord (petitioner in the petition for ejectment) had categorically stated that he does not own or possess any other shop in the vicinity of Municipal Council, Morinda. The petitioner had categorically denied this in his written statement and had given the address of the shop owned and possessed by respondent No.1 and his son where they were running karyana business. He, therefore, submits that this concealment of material fact would dis-entitle the respondent/petitioner for relief under the East Punjab Urban

*Rent Restriction Act, 1949. In support of his submission, he has relied upon the judgment of the Supreme Court in the case of **Ajit Singh and another versus Jit Ram and another, 2008(9) SCC 699** and the judgment of this Court in the case of **Hukam Chand versus Saroj Rani, 2018(1) PLR 381**. He also submits that the petitioner does not have any other shop and would be put to grave hardship if he is not granted interim protection. The execution proceedings are at an advanced stage as warrants of possession along with orders for police help have been issued.*

Issue notice to the respondents returnable on 24.05.2023. process dasti as well.

The Execution proceedings shall remain stayed till the next date of hearing.”

4. Counsel appearing on behalf of the petitioner states that before staying of the execution proceedings by this Court vide order dated 03.05.2023, possession of the disputed property i.e. shop, had been handed-over to the respondent landlord.

5. Said fact has been affirmed by counsel appearing on behalf of respondent No.1 also.

6. Thus, counsel for the petitioner seeks withdrawal of the present petition.

Dismissed as withdrawn.

(SANJAY VASHISTH)
JUDGE

July 13, 2023

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No