

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

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**Regular Second Appeal No.2043 of 1996
Date of decision :-14.11.2023**

Subhash Chand**.....Appellant****Versus****Jagdish Rai and another****.....Respondents****CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Rajinder Goel, Advocate
for the appellant.

Mr. Anupam Mathur, Advocate
For the respondents.

NIDHI GUPTA J. (Oral)

The present Regular Second Appeal has been filed against the judgment dated 03.09.1996 passed by the first lower Appellate Court, whereby the judgment and decree dated 11.12.1991 passed by the lower Court has been reversed.

Learned counsel for the respondents submits that as per instructions the respondents have vacated the demised premises and possession of the same has been given to the appellant/landlord.

Learned counsel appearing for the appellant/landlord submits that he has no instructions in this regard.

Learned counsel for the respondents has produced a copy of order dated 27.2.2020 passed by Co-ordinate Bench of this Court in CR-4393-2014 titled as '*Jagdish Rai vs. Subhash Chand*' filed by respondent/tenant against the appellant/landlord herein regarding the

same demised premises, which has been ‘Dismissed as Withdrawn’ by this Court in view of the compromise entered into between the parties.

Accordingly, in view of the statement made by learned counsel for the respondents/tenants, the present appeal is disposed of as having become infructuous. However, in case anything survives in the present matter, it is open to the appellant/landlord to revive the same by filing appropriate application in accordance with law, if so advised.

Pending application(s), if any, stands disposed of.

November 14, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No