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

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**CR-3853-2023 (O&M)
Decided on : 31.07.2023**

M/s Solitaire Cinema

. . . Petitioner(s)

Versus

Amritpal Singh

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Amit Jain, Sr. Advocate with
Mr. Chetan Slathia, Advocate
for the petitioner(s).

Mr. Ashish Aggarwal, Sr. Advocate with
Ms. Aashna Aggarwal, Advocate,
Mr. Vishal Pundir, Advocate,
Ms. Vibhuti Naraina, Advocate and
Mr. Ankur Bansal, Advocate, for the respondent.

SANJAY VASHISTH, J. (Oral)

CM-13139-CII-2023

i. Present application has been filed under Section 151 CPC by the applicant-petitioner, for placing on record the accompanying additional affidavit along with annexures (Annexures P-9 to P-11, respectively).

ii. Copy of this application has already been handed-over to the opposite counsel.

iii. Application considered. Additional affidavit dated 23.07.2023 and its annexures (Annexures P-9 to P-11, respectively) filed along with application are taken on record, subject to all just exceptions. Office to tag the same at appropriate place in the case file.

CM stands disposed of.

CM-12875-CII-2023

i. Present application has been filed under Section 151 CPC by the applicant-respondent, for placing on record the Statement of Account of Solitaire Cinemas (respondent herein) w.e.f. 13.10.2017 till 01.07.2023

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(Annexure R-1).

ii. Copy of this application has already been handed-over to the opposite counsel.

iii. Application considered. Statement of Account of Solitaire Cinemas (respondent herein) w.e.f. 13.10.2017 till 01.07.2023 filed along with application as Annexure R-1, is taken on record, subject to all just exceptions. Office to tag the same at appropriate place in the case file.

CM stands disposed of.

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1. Learned Senior counsel for the respondent (landlord) points out to the provision(s) of Section 50(5) of the Punjab Rent Act, 1995, and submits that in view of the remedy of appeal, fresh revision petition is not maintainable.

2. Faced with the situation, learned Senior counsel for the petitioner seeks withdrawal of present revision petition with liberty to file an appeal before the Appellate Authority.

3. Dismissed as withdrawn with liberty to the petitioner to file an appeal against the impugned order dated 07.10.2021 before the Appellate Authority, if so advised, within a period of next 15 days from today.

It is, however, made clear that if any, application for condonation of delay or an application for seeking stay, is filed along with said appeal, that would be considered by the Appellate Authority independently.

Civil Revision stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

July 31, 2023

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No