

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

**Civil Revision No. 6755 of 2023(O&M)
Date of Decision: 09.11.2023**

Sandeep Mittal & Anr.

...Petitioners

Versus

Subash Kumar & Anr.

...Respondents

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Rai Singh Chauhan, Advocate and
Ms. Deepika Chauhan, Advocate
For the petitioner.**

KARAMJIT SINGH, J.

1. The present revision petition has been filed by the petitioners/tenants against the order dated 04.11.2023 (Annexure P-7) passed by the Appellate Authority, Pathankot and order dated 10.08.2023 (Annexure P-6) passed by learned Rent Controller, Pathankot.

2. The brief facts of the case are that respondents filed eviction petition against the petitioners wherein the learned Rent Controller passed order regarding assessment of provisional rent dated 26.08.2022 (Annexure P-1) and direction was given to the petitioners to deposit the arrears of provisional rent by 23.09.2022. In the meantime, the petitioners filed appeal against the said order and application seeking stay of the aforesaid order was also filed with the Appellate Authority. The said stay application was declined by the Appellate Authority vide order dated 04.11.2023 (Annexure P-7). In the meantime, as the petitioners failed to comply the aforesaid order of provisional rent, the Rent Controller passed eviction order dated 23.09.2022 (Annexure P-2). The respondent filed application for execution

of aforesaid eviction order wherein petitioners filed objections but the same were declined by the Executing Court concerned vide order dated 10.08.2023 (Annexure P-6).

3. I have heard the counsel for the petitioners.

4. Admittedly, the appeal filed by the petitioners against the order of provisional rent (Annexure P-1) is pending for its disposal before the Appellate Authority, Pathankot. The counsel for the petitioners made submissions that he will be satisfied if direction is given to the Appellate Authority to decide the said appeal in a time bound manner and in the meantime the possession of the petitioners over the demised premises is protected.

5. In light of the above, without commenting on the merits of the case, the present petition is hereby disposed of with direction to the Appellate Authority, Panthankot to decide the appeal filed by the petitioners against order of provisional rent (Annexure P-1) dated 26.08.2022 expeditiously and preferably within 08 weeks of the next date fixed in the appeal and till then status quo with regard to possession over the demised property is to be maintained by the parties. The revision petition stands disposed of in aforesaid terms.

6. Keeping in view the nature of order being passed, no notice is required to be issued to the respondents. However, if they feel dis-satisfied with this order, they may move an application to recall the same.

09.11.2023
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No