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

CM-15984-CII-2024 in/and
CR-7725-2023 (O&M)
Date of decision: 25.09.2024

Harpreet Singh

...Petitioner

Versus

Jamilan

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Arihant Jain, Advocate and
Mr. Kanish Jindal, Advocate for the petitioner.

Mr. Nandita Aggarwal, Advocate and
Mr. Sumeet Jain, Advocate for the respondent.

VIKAS BAHL, J. (ORAL)

1. Main revision petition is stated to be listed for 29.11.2024. On joint request of learned counsel for the parties, the date of hearing in the main case is preponed from 29.11.2024 to today and is taken on Board today itself for final disposal.
2. This is a revision petition filed under Article 227 of the Constitution of India for setting aside ex parte ejectment order dated 04.07.2023 (Annexure P-3) passed by the Rent Authority, Malerkotla and also for setting aside the order dated 28.11.2023 (Annexure P-5) passed by the trial Court, Malerkotla.
3. Learned counsel for the respondent has submitted that in the



present case, against the impugned order, an appeal would lie under Section 50 of the Punjab Rent Act, 1995 as reading of sub-Section 5 of Section 50 clearly states that an appeal shall lie to the Appellate Authority from every order or decision of Rent Authority made under this Act both on the question of law and facts.

4. Learned counsel for the petitioner has submitted that in view of the same, he be permitted to withdraw the present revision petition with liberty to the petitioner to file the said appeal and has prayed that since, the petitioner was pursuing the present remedy thus, in case he files an appeal within a period of one month from today then the Appellate Authority be directed not to dismiss the same solely on the ground of limitation.

5. In view of the above, the present revision petition is dismissed as withdrawn with liberty aforesaid.

6. It is made clear that in case the appeal is filed within a period of one month from today then the Appellate Authority is directed not to dismiss the same solely on the ground of limitation

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

25.09.2024

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No