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

CR-6245-2025 (O&M)

Date of Decision:08.09.2025

Shiv Kumar

.....Petitioner

Versus

Ashok Kumar Thakur and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present:- Mr. Dinesh Nagar, Advocate for the petitioner.

PARMOD GOYAL J.(Oral)

1. The petitioner-judgment debtor has preferred the present revision petition, being aggrieved by the impugned order dated 22.08.2025 (Annexure P-5) passed by the learned Civil Judge (Junior Division), Hoshiarpur

2. It is a case of the petitioner that vide order dated 05.02.2025 (Annexure P-1) passed by this Court in CR No.5374 of 2024, he was granted time to vacate the tenanted premises by 05.09.2025 and was liable to pay Rs.1,000/- per month as *mesne profit* and also pay arrears of rent within a period of two months from 05.02.2025, however before expiry of said time, warrants of possession have been issued..

3. Since the arrears of rent were not paid within two months from 05.02.2025, the landlord-respondent preferred an application seeking issuance of warrants of possession on account of breach of undertaking by



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the judgment debtor-tenant. The learned Executing Court, upon consideration, vide impugned order dated 22.08.2025, concluded that the judgment debtor had not paid arrears of rent since 01.05.2018 onwards and accordingly issued warrants of possession returnable by 02.09.2025.

4. I have heard the learned counsel for the petitioner and have perused the record

5. I do not find any reasons to interfere with the orders passed by the learned Executing Court, as the JD has failed to show that he had paid the arrears of rent till date. In fact, the JD, without any material evidence, is insisting that no arrears exists and therefore he is not liable for eviction. However, it is to be noted that in the present case, even the actual date up to which the JD was allowed to keep possession has also expired on 05.09.2025. The possession of the JD after 05.09.2025 is without any legal basis, and therefore the JD is liable to be evicted in accordance with law.

6. In view of the above, no fault can be found with the impugned order.

7. Accordingly, the revision petition is dismissed.

(PARMOD GOYAL)
JUDGE

08.09.2025

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