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

CR-6613-2025 (O&M)

Date of decision : 10.11.2025

Harpreet Singh

...Petitioner

Versus

Santosh Kumari

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amandeep Singh, Advocate,
for the petitioner.

Mr. Ravi Chadda, Advocate,
for the respondent.

HARPREET KAUR JEEWAN, J. (Oral)

1. Prayer in the present Revision Petition filed under Article 227 of the Constitution is for setting aside the order dated 10.09.2025, whereby the Executing Court-Rent Controller, Ludhiana has dismissed the Objection Petition filed by the petitioner-tenant.

2. The facts, in brief, are as under:-

The respondent-landlord filed an ejectment petition which was allowed by the Rent Controller, Ludhiana vide ejectment order dated 04.10.2022 (Annexure P-2), against which an appeal was filed by the petitioner-tenant, wherein the aforesaid ejectment order was stayed by the Appellate Authority vide order dated 10.05.2025 (Annexure P-5), subject to the condition of payment of *mesne* profits and arrears of rent within a stipulated period.

3. Learned counsel for the petitioner contends that the petitioner could not deposit the said arrears by the fixed date before the



Appellate Authority, however, subsequently, deposited the arrears which have been accepted by the respondent-landlord.

4. On the other hand, learned counsel appearing on behalf of the respondent contends that the landlord had accepted the said rent only under protest, since there was violation of the interim order dated 10.05.2024 passed by the Appellate Authority.

5. I have considered the aforesaid submissions and perused the paper-book.

6. By way of dismissing the objections filed by the petitioner, the Executing Court only observed that the conditional order has been passed by the Appellate Authority, and the Executing Court is not having jurisdiction to award any kind of compensation in addition to the conditions fixed by the Appellate Authority. The Executing Court is to follow the order passed by the Appellate Authority in its letter & spirit.

7. In view of the reasons recorded by the Executing Court, this Court is of the considered opinion that the revision petition against the impugned order is not maintainable, however, as the arrears of rent and mesne profit have already been paid by the petitioner which have been accepted under protest by the landlord, in such circumstances, the remedy lies elsewhere.

8. Faced with this, learned counsel for the petitioner seeks to withdraw the present petition with liberty to approach the Appellate Authority seeking extension of time as fixed in the order dated 10.05.2024 (Annexure P-5).

9. Dismissed as withdrawn with the liberty aforesaid.



10. However, the Appellate Authority shall decide the application expeditiously, if so filed by the petitioner.

11. Meanwhile, for a period of 07 days from today, the rights of the petitioner shall be protected, and no adverse order shall be passed by the Executing Court.

12. Nothing observed hereinabove shall be construed as an expression of opinion on merits of the controversy.

13. Pending miscellaneous application(s), if any, shall also stand disposed of.

10.11.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No