

**Sr. No.124****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CR-4655-2016 (O&M)****Date of decision: 14th May 2026****TARSEM LAL****.....Petitioner****versus****RAVINDER KAUR****.....Respondent****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Bhriugu Dutt Sharma, Advocate and
Mr. Ameesh Gautam, Advocate
for the petitioner.

Mr. Narinder S. Lucky, Advocate
for the respondent.

HARPREET KAUR JEEWAN, J.

1. The present Civil Revision has been filed under Article 227 of the Constitution of India impugning the order dated 21.03.2015, passed by the learned Civil Judge (Junior Division)-cum-Rent Controller, Jalandhar, dismissing the application filed by the petitioner under Order 9 Rule 13 CPC as well as the order dated 16.05.2016, passed by the learned Additional District Judge, Jalandhar, dismissing the appeal filed by petitioner against the order passed by the Rent Controller.

2. The respondent-landlord filed an ejectment petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 for ejectment of the petitioner from the demised premises on the ground of non-payment of arrears of rent and on the ground that the petitioner had illegally occupied the demised premises. *Ex parte* ejectment order was passed in favour of the respondent. After the filing of the execution proceedings, the



petitioner filed an application under Order 9 Rule 13 CPC for setting aside the *ex parte* ejectment order. The said application was dismissed by the learned Rent Controller and the same was upheld by the Appellate Court.

3. The dismissal of the appeal by the Appellate Authority had been challenged by way of filing the present Civil Revision.

4. While issuing notice of motion, the ejectment orders passed by the learned Rent Controller and the Appellate Authority were stayed vide order dated 25.07.2016, subject to the following terms and conditions:-

“xxx xxx xxx xxx

(i) *The petitioner-tenant will pay/deposit the entire due rent upto August, 2016 within two weeks.*

(ii) *He will keep on paying/depositing the advance rent/mesne profits of subsequent months on or before 7th day of each month.*

(iii) *He will file affidavit before the Rent Controller within three weeks giving details of entire payment of rent/mesne profits.*

xxx xxx xxx xxx”

5. Vide order dated 24.07.2019, learned counsel for the petitioner was directed to inform the Court as to whether the order dated 25.07.2016 has been complied with. Again, vide order dated 22.04.2025, the petitioner was directed to file an affidavit regarding the compliance of the aforesaid order dated 25.07.2016.

6. Today, Mr. Narinder S. Lucky, Advocate has put in appearance on behalf of the respondent and filed ‘*vakalatnama*’, which is taken on record.

7. Learned counsel for the respondent informs that the petitioner-tenant has not deposited the subsequent arrears in compliance with the order dated 25.07.2016.



8. *Per contra*, learned counsel for the petitioner contends that he has tried to contact the petitioner but he could not have instructions, as such, no affidavit could be filed in compliance with the order dated 22.04.2025.
9. It is evident that the order dated 25.07.2016, regarding the deposit of *mesne profits* and arrears of rent, has not been complied with by the petitioner-tenant.
10. In view of the facts and circumstances of the present case, this Court is of the opinion that the Civil Revision is a discretionary relief. The petition is liable to be dismissed on account of non-compliance of the interim order passed by this Court.
11. Consequently, the present petition stands **dismissed**.
12. Pending miscellaneous applications, if any, stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

14th May 2026
simran

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>