

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

113

CR-5678-2024 (O&M)

Date of decision: 27.02.2026

Rajesh Kumar Bedi

...Petitioner(s)

Vs.

Aman Kashyap

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- None for the petitioner.

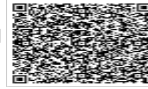
Mr. Manish Joshi, Advocate and
Ms. Ramandeep, Advocate
for the respondent.

NIDHI GUPTA, J.

Present Civil Revision Petition under Article 227 of Constitution of India has been filed by the tenant/judgment debtor against the order dated 04.07.2024 (Annexure P-1) passed by Executing Court/Civil Judge (Junior division) Chandigarh whereby objections filed by the petitioner under Section 47 of the CPC have been dismissed.

2. Brief facts of the case in chronological order are as follows: -

22.12.2021: The landlord/respondent had instituted a Rent Petition dated 22.12.2021 (Annexure P-5) seeking eviction of the petitioner from the demised premises (describable as ground floor and first floor of residential House No. 247, Sector 15-A, Chandigarh) under Section 13 of the East Punjab Urban Rent Restriction Act. Thereafter, respondent had filed application for assessment of provisional rent.



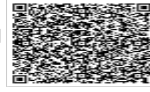
22.08.2022: Vide order dated 22.08.2022 (Annexure P-7), Rent Controller had assessed provisional rent @ Rs.3,60,000/- per month.

26.09.2022: As the petitioner failed to pay provisional rent as assessed by the Rent Controller, accordingly, Rent Petition filed by the respondent was allowed by the Rent Controller vide order dated 26.09.2022 (Annexure P-9) on the ground of non-payment of rent; and petitioner was directed to vacate and handover vacant possession of the tenanted premises within a period of 60 days from the date of passing of order i.e. 26.09.2022.

18.04.2023: The petitioner had challenged the order dated 22.08.2022 before this Court by way of CR-1281-2023; which was dismissed by Coordinate Bench of this Court vide order dated 18.04.2023 (Annexure P-10) on merits as well as on concealment of material facts.

21.09.2023: The petitioner had then moved a Review Application No. RA-CR-140-2023 in CR-1281-2023; which was also dismissed vide order dated 21.09.2023 on grounds of delay as well as on merit.

29.11.2023: In the meantime, in the Rent Appeal, the petitioner had moved an application for staying operation of ejectment order; and the respondent had also moved application for mesne profits. Both the above said applications were decided by the learned Appellate Authority vide order dated 29.11.2023 (Annexure P-12); whereby operation of the ejectment order was stayed till disposal of the appeal subject to the condition that the petitioner shall deposit entire arrears of rent; and that the petitioner shall keep on depositing Rs.40,000/- per month from the



date of ejectment order as mesne profits by 10th of every month failing which stay order shall cease to have effect.

18.01.2024: The said order dated 29.11.2023 was challenged by the petitioner before this Court by way of filing CR-7590-2023; which came to be dismissed vide order dated 18.01.2024 (Annexure P-13).

6.2.2024: Subsequently, the conditional stay granted by the Appellate authority vide aforementioned order dated 29.11.2023 (Annexure P-12) was vacated by the Appellate Authority vide order dated 06.02.2024, as the petitioner failed to pay mesne profits and comply with the conditions.

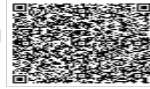
09.02.2024: It is thereafter that the petitioner filed objections under Section 47 of the CPC dated 09.02.2024 (Annexure P-14) in the Execution Petition.

12.02.2024: The respondent had filed reply dated 12.02.2024 (Annexure P-15) to the said objections.

18.04.2024: Petitioner filed rejoinder to the reply filed by the decree holder/respondent.

04.07.2024: Vide impugned order dated 04.07.2024 (Annexure P-1), objections of the petitioner have been dismissed.

3. Perusal of the order sheets shows that although the present Revision Petition is of the year 2024; however, notice is yet to be issued. Order sheets further reveal that since inception of the present Revision Petition, matter has been continuously adjourned either at request of, or due to non-appearance on behalf of the petitioner. Today even in the



second round, none has appeared on behalf of the petitioner. Accordingly, the matter is being heard and decided in the absence of the petitioner.

4. Perusal of the present Revision Petition shows that challenge has been laid to the impugned order dismissing his objections, primarily on the ground that Rent Appeal is pending.

5. It is pointed out by learned counsel appearing on behalf of the respondent that in pursuance to the ejectment order dated 26.09.2022, possession of the ground floor of the demised premises has been taken by the respondent on 21.12.2022; and of the first floor on 06.07.2024. It is submitted that therefore, nothing survives in the present Revision Petition and the same has been rendered infructuous.

6. Besides the above facts, a further anomaly is also to be noted that in the objections filed by the petitioner before the Executing Court under Section 47 CPC (Annexure P-14), in the prayer clause of the objections, prayer of the petitioner is as follows: -

"It is therefore, respectfully prayed objection petition may kindly be allowed, setting aside the ejectment order dated 26/09/2022 passed by the Ld. Rent Controller and execution application may kindly be dismissed, in the Interest of Justice".

7. It is my considered view that keeping in mind the totality of the facts and circumstances of the case, there is no error in the



impugned order dated 04.07.2024 (Annexure P-1). The present Civil Revision Petition is **dismissed**.

8. Pending application(s), if any, also stand(s) disposed of.

27.02.2026

Divyanshi

(NIDHI GUPTA)
JUDGE

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