

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. NOS. 2 AND 3 OF 2013 IN CIVIL APPEAL NO. 3884 OF 2007

KEWAL KISHAN	...APPELLANT(S)	
VERSUS	...RESPONDENT(S)/	
MOHAN SINGH	APPLICANT(S)	

O R D E R

Counsel for the applicant, Mr. Sargam S. Saron, states that the applicant is not pressing the application for vacating of interim stay. Hence, I.A. No.2 is dismissed as not pressed.

Having heard counsel for the parties specially Mr. U.U. Lalit, senior counsel representing the applicant-respondent, we deem it appropriate to allow this application (I.A. No.3) seeking withdrawal of the Eviction/Ejection Application No.53 of 2003 filed by the respondent (Mohan Singh) before the Rent Controller, Nawanshahr, Punjab as it has been explained that the pendency of this petition is coming in the way of execution of Ejectment application No.40 of 2000, the application which had been allowed in favour of the co-owner-Paramvir Kaur. The application, therefore, is allowed.

Hence the respondent will be at liberty to withdraw the Ejectment Application No.53 of 2003 filed before the Rent Controller, Nawanshahr, Punjab.

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Since the appellant had filed this appeal arising out of the proceeding emerging out of Ejectment Application no.53 of 2003 and the same having been allowed to be withdrawn, the Civil Appeal is dismissed as infructuous.

.....J.
(GYAN SUDHA MISRA)

.....J.
(PINAKI CHANDRA GHOSE)

NEW DELHI,
09 DECEMBER, 2013.

ITEM NO.1 COURT NO.11 SECTION IV

KEWAL KISHAN

Appellant (s)

VERSUS

MOHAN SINGH

Respondent(s)

(With appln(s) for directions,vacating stay)

Date: 09/12/2013 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Appellant(s) Mr. Ranbir Yadav, Adv.
Ms. Anzu K. Varkey, Adv.
For Mr Vinay Kumar Garg, Adv. (NP)

For Respondent(s) Mr. U.U. Lalit, Sr.Adv.
Mr. Sangram Singh Saron, Adv.
For Ms. Jaspreet Gogia, Adv.

UPON hearing counsel the Court made the following
O R D E R

Counsel for the applicant, Mr. Sargam S. Saron, states that the applicant is not pressing the application for vacating of interim stay. Hence, I.A. No.2 is dismissed as not pressed.

Having heard counsel for the parties specially Mr. U.U. Lalit, senior counsel representing the applicant-respondent, we deem it appropriate to allow this application (I.A. No.3) seeking withdrawal of the Eviction/Ejection Application No.53 of 2003 filed by the respondent (Mohan Singh) before the Rent Controller, Nawanshahr, Punjab as it has been explained that the pendency of this petition is coming in the way of execution of Ejectment application No.40 of 2000, the application which had been allowed in favour of the co-owner-Paramvir Kaur. The application, therefore, is allowed.

Hence the respondent will be at liberty to withdraw the Ejectment Application No.53 of 2003 filed before the Rent Controller, Nawanshahr, Punjab.

Since the appellant had filed this appeal arising out of the proceeding emerging out of Ejectment Application no.53 of 2003 and the same having been allowed to be withdrawn, the Civil Appeal is dismissed as infructuous.

|(Neetu Khajuria)

|(S.S.R. Krishna)

|
|Sr.P.A.

|Court Master

(Signed order is placed on the file.)