

(2010) 11 P&H CK 0385

High Court Of Punjab And Haryana At Chandigarh

Case No: C.R. No. 7623 of 2010

Rishi Pal @ Jaggu

APPELLANT

Vs

Braham Dev and Others

RESPONDENT

Date of Decision: Nov. 22, 2010

Acts Referred:

- Haryana Urban (Control of Rent and Eviction) Act, 1973 - Section 12

Hon'ble Judges: Alok Singh, J

Bench: Single Bench

Final Decision: Dismissed

Judgement

Alok Singh, J.

Learned Counsel for the Petitioner states that Petitioner shall move appropriate application u/s 12 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 seeking permission to repair the shop. He further states that filing of the application u/s 12 of the Act pursuant to the order dated 8.10.2010 passed by Civil Judge (Jr. Divn.) Yamuna Nagar at Jagadhri should not be construed as admission of the Plaintiff on the question of title. He further states that Plaintiff-Petitioner shall prove his title independently in the pending civil suit and moving of application u/s 12 of the Act shall not effect Plaintiff's right to prove the title.

2. In view of the above, learned Counsel for the Petitioner seeks permission to withdraw this petition.

3. Present petition is dismissed as withdrawn with the observation that moving of an application u/s 12 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 pursuant to the Civil Court's order shall not be construed as admission against the Petitioner in a pending title suit.