

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****127****CR-2886-2025 (O&M)****Date of Decision : 13.05.2025**

M/s Shree Vishnu Processors and AnotherPetitioners

VERSUS

Sudarshan Sewa Trust and OthersRespondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Roohina Dua, Advocate for the petitioners.
(through hybrid mode).

ALKA SARIN, J. (Oral)

1. Present revision petition has been filed by the petitioners under Article 227 of the Constitution of India wherein a prayer has been made for allowing the restoration application which is pending in the Court of Additional District Judge, Amritsar as also for issuance of a direction to decide the rent appeal in an expeditious manner.

2. Briefly, the facts relevant to the present *lis* are that the respondents had filed an application for ejectment under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 which was decided by the Rent Controller vide order dated 20.08.2014 whereby the ejectment was allowed on the ground of subletting and material alterations as also on the ground of impairment. Aggrieved by the same, an appeal was filed which was dismissed for non-prosecution vide order dated 15.12.2018. Thereafter, an application was filed for restoration, which is pending before the Appellate Authority for 17.05.2025.

3. The prayer in the present petition is for allowing the restoration application filed by the petitioners, which is still pending before the Appellate Authority, and for directing the Appellate Authority to decide the appeal expeditiously. It is not understandable as to how the present petition has been filed when the application for restoration itself is still pending before the Court. The prayer in the present petition is not for expeditious hearing of the restoration application rather the prayer is for allowing the restoration application as also for issuing a direction to the Appellate Authority to decide the rent appeal. The restoration application is still pending before the Appellate Authority and not yet been decided and the petitioner is wanting that this Court, under supervisory jurisdiction under Article 227 of the Constitution of India, should allow the said restoration application. The prayer is neither tenable nor maintainable. In view thereof, the same stands rejected. The alternate prayer to direct the Appellate Authority to decide the rent appeal would also not be maintainable inasmuch as the rent appeal has not yet been restored.

4. In view of the above, the present revision petition, which is devoid of any merit, is dismissed. Pending applications, if any, also stand disposed off.

13.05.2025
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO