



2025:UHC:15

HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Revision No. 86 of 2022

Sitab Singh

.....Revisionist

Versus

Mahesh Chandra Nainwal

.....Respondent

Presence:-

Mr. Lokendra Dobhal and Mr. Pratul Kumar Advocates for the revisionist.

Mr. Piyush Garg, counsel for the respondent.

Dated : 02.01.2025

Hon'ble Vivek Bharti Sharma, J.

Present civil revision is filed by the revisionist against the judgment and order dated 13.09.2022 passed by Judge, Small Causes Court/Additional District Judge, Kotdwar, District Pauri Garhwal, whereby the revisionist/tenant has been directed to handover the possession of the disputed property to the respondents/landlord. The said court further directed the revisionist/tenant to pay the outstanding rent from 01.12.2019 to 31.01.2020 @₹5200/- per month and from 01.02.2020 till the date of handing over of the peaceful actual possession to the respondent/landlord @₹2600/- per month.

2. Counsel for the respondent/landlord would submit that on 07.10.2024, counsel for the



revisionist/tenant has been granted time to get instructions from his client about the time for vacating the property in question.

3. Today, counsel for the revisionist/tenant on instruction would submit that the revisionist/tenant is ready and willing to handover the peaceful possession to the respondent/landlord but at least six months time may be granted to revisionist/tenant for the said purposes.

4. *Per contra*, counsel appearing for respondent/landlord would submit that three months would be sufficient and reasonable for the said purposes. He would further submit that the time of three months be given to the revisionist/tenant on the condition that the revisionist/tenant shall pay the damages as directed by the trial court.

5. To this, counsel for the revisionist/tenant would submit that the revisionist/tenant is ready to vacate the premises within three months and also ready to pay the damages and the rent as directed by the trial court. He would further submit that pursuant to the order of the Coordinate Bench dated 01.11.2022, the revisionist/tenant had deposited



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