



HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Revision (under Section 25 of the Provincial Small Cause Courts Act,

1887) No. 74 of 2020

Dated : 31st July, 2026

Santosh Gupta ----- --Revisionist

Versus

Jaipal Singh Rawat (now deceased) -----Respondent

Presence:-

Mr. Ajay Joshi, learned counsel holding brief of Mr. Harish Joshi, learned counsel for the revisionist.

Mr. Sanjeev Kumar Shah, learned counsel, for the respondent.

1. The present Civil Revision has been preferred against the judgment dated 25.02.2020 in Small Cause Case No. 2 of 2016, “Jaipal Singh Rawat (now deceased) vs. Santosh Gupta”, passed by the learned District Judge/Judge Small Causes, Champawat. By the said order, the revisionist was directed to handover the peaceful possession of the property within three months and was also directed to pay the arrears of rent.

2. Vide order dated 10.06.2022, the effect and operation of the impugned judgment dated 25.02.2020, and the consequential eviction of the revisionist from the property in question was stayed, subject to the condition that the revisionist deposits the entire decretal amount within a period of six weeks and continues to pay the monthly rent by 10th of each month.

3. A supplementary affidavit has been filed by the revisionist, whereby he had given an undertaking that two



years time may be given to the revisionist to vacate the premises. The revisionist has submitted that he was diagnosed with cancer and it has been further stated that the daughter of the revisionist is to be married on 24-25.11.2026, as such, the said period of two years be granted for vacating the premises.

4. The case was listed today and learned counsel for the respondent, on basis of the instructions, of his client, who is also present in the Court, made a statement that the revisionist may be given a reasonable time to vacate the premises. Though, learned counsel for the respondent, on instructions, submitted that three months time would be reasonable for vacating the premises, however, looking into the grounds made in the supplementary affidavit and also on account of the fact that the marriage of the daughter of the revisionist is scheduled to be held in the month of November, 2026, this Court considers it appropriate to grant a period of one year to the revisionist to vacate the premises.

5. The learned counsel for the revisionist had also conceded to the said direction and submits that the premises in question would be vacated within a period of one year from today.

6. In view of the consensus reached between the parties, the present Civil Revision is disposed of with the



following directions:-

(I) The revisionist shall vacate the tenanted portion within a period of one year from today i.e. the revisionist shall handover the vacant tenanted portion to the respondent on or before 01.08.2027. The revisionist shall clear the entire arrears of rent, if not already cleared, and shall also pay the rent on month to month basis and the rent shall be payable on or before 10th of every month. In violation of the deposit of monthly rent or clearance of arrears of the rent, the present order would stand vacated and the respondent would be at liberty to execute the order dated 25.02.2020.

(II) The order passed by the learned District Judge, Champawat dated 25.02.2020 is modified to the extent as stated above.

7. Pending application(s), if any, stand disposed of accordingly.

(Subhash Upadhyay, J.)

31.07.2026

Pant/