

CR-2302-2015 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CR-2302-2015 (O&M).
Decided on: April 6, 2015.**

Bharat Bhushan Walia

..... Petitioner(s)

Versus

Gulshan Khurana

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Gorakh Nath, Advocate,
Mr.I.B.Bhandari, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL)

The tenant has filed this revision petition against the ejectment order passed by the Rent Controller and Appellate Authority giving the concurrent finding that the landlord-respondent requires the shop for his second son Nikhil Khurana. The contention of the tenant that another shop has been got vacated by the landlord has been rejected on the ground that said shop was got vacated for requirement of another son Saurabh Khurana.

After hearing the counsel for the petitioner at length I am of the opinion that there is no infirmity in the orders of ejectment passed by the Courts below.

Counsel for the petitioner submits that since the petitioner has been in possession of the shop since 1978, he may be granted some time to vacate the premises subject to deposit of entire

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amount of arrears of rent.

After considering the facts and circumstances of the case, I deem it appropriate to grant six months' time to the petitioner to vacate the premises subject to his furnishing an undertaking to hand over the vacant possession of the premises to the landlord.

Notice of motion to the respondent.

Mr. Manoj Dhiman, Advocate, accepts notice on behalf of landlord-respondent. Copy given.

Counsel for the landlord-respondent submits that he has got no objection in case the aforesaid undertaking is furnished by the tenant- petitioner to vacate the premises.

This petition is disposed of with a direction that the tenant-petitioner will furnish an undertaking/affidavit before the executing Court to the effect that he will vacate the premises by 7.10.2015 and would not cause any damage to the shop in dispute and will also not hand over the shop or any part of it to any third party and will also pay the entire arrears of rent within a period of one month. The aforesaid undertaking shall be furnishing within 10 days from the date of receipt of copy of this order, failing which this petition shall be deemed to have been dismissed. On furnishing the aforesaid undertaking within the stipulated time, petitioner will be at liberty to vacate the premises any time till 7.10.2015.

April 6, 2015.
rka

(M.M.S. BEDI)
JUDGE