

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

**CR No.3490 of 2012
Date of decision: 5.11.2015**

Sunehari Devi and another

.....Petitioners

Versus

Atma Ram

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Amit Jain, Advocate for the petitioners.

Mr. Kunal Mulwani, Advocate for the respondent.

ARUN PALLI, J. (Oral)

Vide order dated 11.04.2012, rendered by the Appellate Authority, Chandigarh, ejectment of the petitioners/tenant had since been ordered. And the petition is pending post admission. This Court vide order dated 4.8.2015, had assessed the mesne profits, which concededly, have not been deposited by the tenant/petitioner. Rather, an application has been moved by the tenant to afford him some time to vacate the demised premises.

Learned counsel for the non-applicant/respondent submits that if the applicant/petitioner vacate the demised premises on or before 9.11.2015, respondent-landlord shall not seek enforcement of the order dated 4.8.2015, passed by this Court. And every claim as regards arrears of rent shall be deemed to have been settled and satisfied. Something, to which learned counsel for the tenant/applicant; on instruction from his client who is present in person, expresses his agreement to.

Accordingly, the revision petition is taken on board and is disposed of in these terms.

1. Petitioners/tenant shall occupy the demised premises only up to 9.11.2015 and shall thereafter hand over the actual physical and vacant possession, free from all encumbrances to the respondent-landlord. In the event of any default, respondent shall be free to execute the order of eviction forthwith and shall also have a right to enforce the order dated 4.8.2015, passed by this Court.
2. In the event the petitioner vacates and hand over possession of the demised premises on or before the appointed date i.e. 9.11.2015, petitioners shall not seek enforcement of the order dated 4.8.2015 and all claims as regards arrears of rent and mesne profits shall be deemed to have been settled and satisfied.
3. Applicant/petitioners shall furnish an undertaking in the form an affidavit in the above terms with the executing Court as also this Court within a period of two days from today, failing which, again respondent-landlord shall be at liberty to execute the order of eviction and obtain possession forthwith.

November 5, 2015

Manoj Bhutani

**(ARUN PALLI)
JUDGE**