

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.R. No. 4051 of 2015 (O&M)

Date of decision: 09.09.2015

Sawarn Singh and another

...PETITIONERS

VS.

Gurbax Singh

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. V.K.Sandhir, Advocate,
for the petitioners.

Mr. Aseem Kalia, Advocate,
for Mr. Premjit Kalia, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

On 02.07.2015 when the case came up for hearing, following order was passed:-

“ After hearing the counsel for the petitioners, it is transpired that this petition is not likely to succeed on merits. At this stage, the counsel for the petitioners requests for some reasonable time to vacate the demised premises in order to enable the petitioners-tenants to find out some suitable alternative accommodation.

Notice of motion for the above-said limited purpose only, returnable by 9.9.2015.

In the meanwhile, possession of the petitioners from the demised premises is protected but subject to the following

conditions:-

- (i) that petitioners will clear all the arrear of rent, if any, within a period of 15 days from today; and
- (ii) that the petitioners shall continue to pay the future rent by 11th of each month till further order.

In case the petitioners fail to comply with any of these conditions, then in that eventuality the stay order shall stand automatically vacated.”

Today when the case was taken up for hearing, counsel for the petitioners has, on instructions, stated that the petitioners may be granted two years' time to vacate the premises, which, in the consideration of the Court, is very unreasonable and then he came down to one year to vacate the premises, which again was not found to be reasonable keeping in view the fact that the Rent Controller, Tarn Taran had granted the petitioners two months' time to vacate the premises vide order dated 14.01.2013. The appeal has already been dismissed on merits on 30.04.2015 and this Court, on 02.07.2015, has already granted him the benefit of two months. As the matter has now come up for hearing, four months' time was proposed by this Court to be reasonable, which is not acceptable to the petitioners and, therefore, left with no option, this Court proceeds to dismiss the present petition.

Dismissed.

September 09, 2015
pj

(AUGUSTINE GEORGE MASIH)
JUDGE