

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

202

Civil Revision No.4340 of 2015 (O&M)

Date of Decision: August 26, 2015

Shanti Uppal

...Petitioner

Versus

Shubh Mahajan and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rohit Khanna, Advocate
for the petitioner.

Mr. Sanjiv Gupta, Advocate
for the applicants-respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.15501-CII of 2015

Counsel for the applicants-respondents states that all the amounts due till date have been cleared by the non-applicant/petitioner. He however has referred to the order dated 13.07.2015 passed by this Court, whereby notice of motion was issued for the limited purpose with regard to granting some reasonable time to vacate the demised premises in order to enable the petitioner-tenant to find out some other suitable alternative accommodation.

In the light of the said aspect, the hearing of the main case is preponed and the main revision petition is taken on board for disposal.

CR No.4340 of 2015

On 13.07.2015 when the case came up for hearing, following order was passed:-

“After hearing the counsel for the petitioner for some time, it is transpired that this petition is not likely to succeed on merits. At this stage, the counsel for the petitioner requests for the grant of some

reasonable time to vacate the demised premises in order to enable the petitioner-tenant to find out some suitable alternative accommodation.

Notice of motion for the above-said limited purpose only, returnable by 23.9.2015.

In the meanwhile, possession of the petitioner over the demised premises is protected but subject to the following conditions:-

(iii) that petitioner will clear all the arrears of rent, if any, within a period of 15 days from today; and

(iv) that the petitioner shall continue to pay the future rent by 11th of each month till further order.

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

Counsel for the petitioner, on instructions from the petitioner, who is present in Court, states that she would hand over the vacant possession of the premises to the respondents-landlord within a period of eight months from today.

In view of the above, the present petition stands dismissed on merits. However, as per the statement made by counsel for the petitioner, eight months' time is granted to the petitioner to vacate the premises subject to her furnishing an undertaking in this Court within a period of two weeks from today that she shall hand over the vacant possession of the demised premises to the respondents on or before 30th April, 2016 and that she shall pay the rent/mesne profit of the ongoing months till she hands over the vacant possession of the rented premises to the respondents-landlord at the rate as assessed by the Rent Controller on or before 11th day of each month.

It goes without saying that in case the undertaking given to this Court is breached/violated/not complied with, it would amount to contempt of this Court.

August 26, 2015
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE