

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

C.M. No. 178-CII of 2015 in/and

C.R. No. 4162 of 2014

Date of decision: 08.01.2015

Shriram Goyal

....Petitioner(s)

Versus

Parshotam Lal

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Kartik Gupta, Advocate,
for the applicant-petitioner.

Mr. Rajesh Lamba, Advocate,
for the respondent.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 178-CII of 2015

The present application has been filed under Order 9 Rule 9 read with Section 151 CPC for restoration of the main revision petition which was ordered to be dismissed for non prosecution on 15.12.2014. Alongwith the affidavit, the affidavit of the petitioner has also been furnished that he undertakes to vacate the shop in question by 31.12.2015.

Notice of the application.

Mr. Rajesh Lamba, Advocate, counsel who is present in Court accepts notice on behalf of the respondent-landlord and submits that he has no objection if the revision petition is restored to its original number.

Accordingly, the application is allowed.

The main revision petition is restored to its original number.

C.R. No. 4162 of 2014

With the consent of counsel for the parties, the main case is taken up today for hearing.

The present revision petition has been filed for setting aside the

orders dated 03.04.2014 and 18.04.2011 passed by the Appellate Authority, Palwal and the Rent Controller, Palwal respectively whereby, the petitioner-tenant has been ordered to be evicted from the premises in question.

In view of the affidavit filed by the petitioner-tenant that he will vacate the premises in question by 31.12.2015, the present revision petition is disposed of as having been rendered infructuous. However, it is made clear that the possession of the premises in question shall be handed over only to the respondent-landlord and not to any other third person and the tenant shall keep depositing the rent @ ₹5,000/- per month with the Rent Controller by the 7th of each month. The arrears shall also be deposited by 07.02.2014 before the Rent Controller. It is made clear that any violation of the undertaking given shall entitle the landlord to seek the possession of the property.

08.01.2015
shivani

(G.S. SANDHAWALIA)
JUDGE