

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

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**Civil Revision No.4744 of 2015(O & M)
Date of Decision:23.09.2015**

Naresh Mangla

....petitioner

Versus

Shyam Sunder

.....respondent

Civil Revision No.4770 of 2015(O & M)

Naresh Mangla

....petitioner

Versus

Shyam Sunder

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2.To be referred to the Reporters or not?**
- 3.Whether the judgment should be reported in the Digest?**

Present: Mr.Jagjot Singh, Advocate for
Mr.Kunal Dawar, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

This order shall dispose of two revisions i.e.Civil Revision
No.4744 of 2015 and 4770 of 2015 involving the same issue.

On August 04, 2015, this Court had passed the following
order:

***After hearing the counsel for the
petitioner, it is transpired that this petition is not
likely to succeed on merits. At this stage, learned
counsel for the petitioner requests for grant of
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, operation of the impugned
judgement shall remain stayed but subject to the
condition that the petitioner will clear all the
arrears of rent, if any, within a period of 15 days
from today.***

Office report shows that the respondent could not be served as he is reported to be out of country. Since, notice to the respondent was issued only for a limited purpose i.e.to afford a reasonable time to the petitioner to vacate the demised premises and the process to serve the respondent in the current situation would further delay the matter, it is deemed appropriate to dispose of the petitions in the following terms:

1. The petitioner shall continue to occupy the demised premises for a period of six months from today i.e.upto 22.03.2016.
2. The entire arrears of rent, if any, shall be deposited by the petitioner with the respondent-landlord, within two weeks from today, failing which, the respondent shall be at liberty to execute the order of eviction, forthwith.
3. The petitioner shall continue to deposit the future rent/mesne profits by 7th of every month with the respondent-landlord. In the event of even a single default, the respondent-landlord shall be free to execute the order of eviction and obtain possession, forthwith.

4. The petitioner shall defray the electricity/water charges for the period he would occupy the demised premises.

5. The petitioner shall vacate and hand over the actual and physical possession of the demised premises, free from all incumbrances on or before the stipulated date i.e.22.03.2016, failing which respondent-landlord shall be free to execute the order of eviction.

6. The petitioner shall furnish an undertaking in the form of an affidavit in the above terms, with the Executing Court, within a period of one week from today, failing which, the respondent-landlord shall be at liberty to execute the order of eviction and obtain possession.

23.09.2015
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(ARUN PALLI)
JUDGE