

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No.4588 of 2014(O&M)

Date of decision: 13.1.2015

Jagan Nath Om Parkash

...Petitioner

Versus

Sham Sundri and others

...Respondents

CORAM: MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Vivek Aggarwal, Advocate for the petitioner.

Mr. Sanjay Jain, Advocate for the respondents.

G.S.SANDHAWALIA, J. (Oral)

Civil Misc. No.679-CII of 2015

Prayer made in this Civil Misc. Application for placing on record the affidavit of petitioner is allowed.

Affidavit is taken on record.

Office to tag the same at appropriate place in the file.

The Civil Misc. Application stands disposed of accordingly.

CR No.4588 of 2014

As per affidavit, the petitioner has sought time till 12.1.2016. However, counsel for the respondents has submitted that rent is only being paid at the rate of ₹ 60/-per month for a shop situated at Ambala. It is further pointed out that eviction order was passed way back on 28.4.2011 and the petitioner is continuing in the premises without even paying mesne profits as per settled principle of law in **State of Maharashtra and another vs. M/s. Super Max International Pvt. Ltd. and others, 2009 (9) SCC 772.**

Faced with this situation, counsel for the petitioner submits that he is willing to scale down the time and will vacate the shop in question on or before 30.9.2015.

Accordingly, keeping in view the above statement which is acceptable to the respondents/landlords, the present revision petition is disposed of as having been rendered infructuous. The petitioner shall vacate the premises by 30.9.2015 and shall continue paying the rent by 7th of every month. It is further made clear that in case he does not vacate the shop in question by the said date, the respondents shall be at liberty to take possession forthwith with the help of the police in accordance with law.

With the aforesaid observations, the present revision petition stands disposed of as having been rendered infructuous.

January 13, 2015
Pka

(G.S.SANDHAWALIA)
Judge