

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.5147 of 2015(O&M)
Date of decision: 26.08.2015

Parvez Akhtar

... Petitioner

Versus

Hans Raj through LRs and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mohd. Yousaf, Advocate, for the petitioner.
Mr. Arun Jindal, Advocate for the respondents.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

On August 20, 2015, this court had passed the following order:

“Having argued the matter at some length, learned counsel for the petitioner submits that the petitioner be only afforded some reasonable time to vacate the premises, as he does not wish to press the petition on merits.

Notice of motion for 26.08.2015.

Process dasti as well.

To be shown in the urgent list.”

Learned counsel for the petitioner submits that the petitioner be only afforded a year's time to vacate the demised premises.

Learned counsel for the respondents does not oppose the prayer and rather maintains that let a year's time

be afforded to the petitioner-tenant to hand-over the vacant possession of the shop in question to the respondent.

That being so, the petition is disposed of in the following terms:

i) petitioner-tenant shall continue to occupy the demised premises for a period of one year from today i.e. upto 31.08.2016;

ii) the entire arrears of rent, if any, shall be paid by the petitioner-tenant to the respondent-landlord within four weeks from today;

iii) petitioner shall continue to pay the future rent/mesne profits @ ₹ 5,000/- by 7th of every month to the respondent-landlord. In the event of even a single default, respondent-landlord shall be at liberty to execute the order of eviction forthwith;

iv) petitioner shall be under obligation to defray all the electricity and water charges for the period he would occupy the demised premises;

v) petitioner shall vacate the demised premises and hand-over its actual physical and vacant possession, free from all encumbrances to the respondent-landlord, on or before the stipulated date i.e. 31.08.2016, failing which respondent-landlord shall be free to execute the order of eviction and obtain possession; and

vi) petitioner shall furnish an undertaking in the above terms, in the form of an affidavit, within a week from today, before the executing court, failing which again respondent-landlord shall be at liberty to execute the order of eviction.

August 26, 2015
Rajan

(Arun Palli)
Judge