

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.5406 of 2015(O&M)
Date of decision: 26.08.2015

Sanjay Sharma

... Petitioner

Versus

Vinod Kumar

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. IS Pabla, Advocate, for the petitioner.
Mr. Mukul Goyal, Advocate for the respondent.

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)

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

Prayer is not opposed by learned counsel for the respondent, as he maintains that nine month's time be afforded to the petitioner-tenant to hand-over the vacant possession of the shop in question to the respondent-landlord.

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 nine months from today i.e. upto 31.05.2016;

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 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. 31.05.2016, 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