

117 Civil Revision No.5833 of 2015(O & M)
Date of Decision:21.09.2015

Versus

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- Mr.Naveen Batra, Advocate
for the respondent

CM No.19319-CII of 2015

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Having argued the matter at some length, learned counsel for the petitioner, on instructions, submits that he does not wish to press the present petition on merits, and thus, the petitioner be only afforded a reasonable time to hand over the actual, physical and vacant possession of the house in question to the respondent-decree holder.

Notice of motion.

Process dasti as well, with liberty to serve the respondent through her counsel before the Executing Court.

Let an affidavit, in terms of the statement made by learned counsel for the petitioner, be furnished within a week from today, with the Registry of this Court, as also before the Executing Court.

Adjourned to 19.09.2015

Status quo as it exists today shall be maintained till the adjourned date of hearing.

To be shown in the urgent list.

Learned counsel appearing on behalf of the respondent does not oppose the prayer that has been advanced by counsel for the petitioner. Rather, it is maintained that let four month's time be granted to the petitioner to vacate the demised premises.

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

1. The petitioner-judgement debtor shall continue to occupy the demised premises for a period of four months from today i.e. upto 20.01.2016.
2. The petitioner-judgement debtor shall defray the electricity/water charges for the period he would occupy the demised premises.
3. The petitioner-judgement debtor shall vacate and hand over the actual and physical possession of the demised premises, on or before the stipulated date i.e. 20.01.2016, failing which respondent-decree holder shall be free to execute the decree.
4. The petitioner-judgement debtor shall furnish an undertaking in the form of an affidavit in the above terms, with the Executing Court, within a period of one

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week from today, failing which, the respondent-decree holder shall be at liberty to execute the decree forthwith.

21.09.2015

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(ARUN PALLI)
JUDGE