

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

Civil Revision No. 7663 of 2014 (O&M)

Date of Decision: February 23, 2015.

Prem Chand

.....PETITIONER(s).

VERSUS

Harbans Lal

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.S. Dadwal, Advocate
for the petitioner (s).

Mr. Uday Chauhan, Advocate
for the respondent.

SURINDER GUPTA, J.(Oral)

Notice was issued to the respondent to inquire as to whether he is ready to give some reasonable time to revision petitioner to vacate the demised premises. Order dated 1.12.2014 reads as follows :-

“After arguing for some time, learned counsel for the petitioner submits that he does not intend to press this petition on merits and seeks reasonable time to vacate the premises and to find alternate accommodation as the revision petitioner is running his business in the demised premises for the last 25 years.

On this limited ground, notice of motion for 27.01.2015.

Till then, the execution of the ejectment order passed by the Rent Controller, if not already executed, shall remain stayed subject to the conditions that petitioner will pay/deposit the entire arrears of rent/mesne profits upto 30th November, 2014 within two weeks and pay the rent/mesne profits for the months of December, 2014 and January, 2015 on or before 7th day of each month.

Learned counsel for the respondent-landlord submits that the respondent-landlord has no objection if nine months time i.e. upto 22.11.2015 is given to the revision petitioner to vacate the demised premises. However, he submits that the rate of rent of the demised premises was ₹1050/- per month which is on the lower side and the same may be increased at least @ ₹5,000 per month.

As agreed by learned counsel for both the parties, the rate of rent of the demised premises is increased from ₹1050/- per month to ₹3,000/- per month which will be paid by the revision petitioner from today onwards.

In view of submission made by learned counsel for the respondent, the petition is disposed of and the revision petitioner is allowed period upto 22.11.2015 to vacate the demised premises, subject to the following terms:-

- (i) The petitioner-tenant will pay/deposit the entire due rent upto February 28, 2015 within two weeks.
- (ii) He will keep on paying/depositing the future rent/mesne profits @ ₹3,000/- per month of subsequent months upto 22.11.2015 on or before 7th day of each month.
- (iii) He will file affidavit before the executing within three weeks giving details of entire payment of rent/mesne profits.

In case of default of any of the above terms, the respondent-landlord will be entitled to execute the order of ejectment forthwith.

February 23, 2015

deepak

**(SURINDER GUPTA)
JUDGE**