

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

(232)

**CR No.7839 of 2014 (O&M)
Decided on: April 30, 2015.**

Vidya Devi and another

.... Petitioners

Versus

Radha Devi and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Gopal Sharma, Advocate,
for the petitioners.

Mr. M.K. Mittal, Advocate,
for respondent No.1.

M.M.S. BEDI, J (ORAL)

Respondent No.1 is only contesting respondent. Service of other respondents is dispensed with.

Order dated 20.11.2014 indicates that the revision petition filed by the tenant was adjourned only to provide some time to the petitioner to vacate the tenanted premises. The period of six months has already passed.

Learned counsel for the petitioners submits that he has got instructions from his clients that the tenants would require a period of about one and half year to vacate the premises.

On the other hand, learned counsel for the respondent-landlady submits that the building is already in dilapidated condition and likely to fall at any time and that the respondent-landlady is more than 80 years of age.

Taking into consideration the facts and circumstances of the case, without expression of any opinion on merits, in the interest of justice, striking a balance between the comfort of both the parties, period of six more months from today is granted to the petitioners to hand over the vacant possession of the tenanted premises subject to the condition that petitioners will furnish an undertaking by filing separate affidavits that they will hand over the vacant possession to the respondent No.1, by 31.10.2015.

Counsel for the respondent-landlady has submitted that he has got instructions to waive off the claim for mesne profits in case the undertaking is given by the petitioners.

It is ordered that entire arrears of rent will be paid within a period of 10 days and future rent will be paid in advance by Tenth of each month. It is made clear that in case the affidavits are not furnished within 10 days, it will be open to the respondent-landlady to approach this Court again for modification of the order to seek eviction prior to the date fixed.

(M.M.S. BEDI)
JUDGE

April 30, 2015
harsha