IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.M. NO.26524 CII OF 2015 &
C. R. NO.8516 OF 2015
DATE OF DECISION: DECEMBER 15, 2015

Jaipal Singh

.....Petitioner

VERSUS

Jaswinder Singh

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

Present: Mr. Navin Saini, Advocate,
for the petitioner.

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AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner has argued the case at length but when this Court was not inclined to interfere in the matter on merits, he submitted that the petitioner may be granted five months' time and he would vacate the premises i.e. shop-cum-shed of Plot No.851 and hand over the vacant possession of the same to the respondents on or before 15.05.2016.

In view of the above, this revision petition stands dismissed on merits. However, as per the statement made by the counsel for the petitioner, without issuing any formal notice to the respondent, to avert any further delay and the expenses that he shall have to incur to defend these proceedings, the petition is disposed of, in the following terms:-

1. The petitioner shall continue to occupy the demised

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premises for a period of five months from today i.e. up to 15.05.2016.

2. The entire arrears of rent, if any, shall be deposited by the petitioner with the Rent Controller, Chandigarh, within a period of one month from today, failing which, the respondent shall be at liberty to execute the order of eviction, forthwith.

3. The petitioner shall continue to deposit the future rent/*mesne profits* by 7th of every month with the Rent Controller, Chandigarh. In the event of even a single default, the respondent-landlord shall be free to execute the order of eviction and obtain possession, forthwith.

4. The petitioner shall defray the electricity/water charges for the period he would occupy the demised premises.

5. The petitioner shall vacate and hand over the actual and physical possession of the demised premises, free from all incumbrances, on or before the stipulated date i.e. 15.05.2016 to the respondent-landlord, failing which respondent-landlord shall be free to execute the order of eviction.

6. The petitioner shall furnish an undertaking in the form of an affidavit in the above terms, with the Rent Controller/Executing Court, Chandigarh, within a period of one month from today, failing which, the respondent-landlord shall be at liberty to execute the order of eviction and obtain actual physical possession.

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CM No.26524-CII of 2015

In view of the dismissal of the main petition, no separate orders are required to be passed in this application for stay and, therefore, the same stands dismissed.

Copy of the order be given *dasti* to the counsel for the petitioner under signatures of the Bench Secretary of this Court.

December 15, 2015 **(AUGUSTINE GEORGE MASIH)**
khurmi **JUDGE**

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