

Civil Revision No.8556 of 2015 (O&M)

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

Civil Revision No.8556 of 2015 (O&M)
Date of Decision: December 18, 2015

Pawan Kumar

...Petitioner

Versus

Kiran Aggarwal

...respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Kamaldeep Singh Sidhu, Advocate
for the petitioner.

AUGUSTINE GEORGE MASI, 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 nine months' time and he would vacate the premises i.e. shop and hand over the vacant possession of the same to the respondent on or before 30.09.2016.

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 they 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 premises for a period of nine months from today i.e. up to 30.09.2016.

2. The entire arrears of rent, if any, shall be deposited by the petitioner with the Rent Controller, Dhuri, 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, Dhuri. 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. 30.09.2016 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, 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.

CM No.26707-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.

December 18, 2015*Harish***(AUGUSTINE GEORGE MASIH)
JUDGE**