

CR No. 120 of 2016 (O&M)

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

CR No. 120 of 2016 (O&M)

Date of Decision: May 09, 2016

Gurbax Singh through his LRs Tej Kaur & others

...Petitioners

Versus

Swaran Kaur

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Petitioner No.3-Manmeet Singh in person with
Mr. Vijay Lath, Advocate.

AUGUSTINE GEORGE MASI, J. (Oral):

CM No.9745-CII of 2016

Prayer in this application is for preponement of date of
hearing of the main revision petition.

For the reason mentioned in the application which is duly
supported by the affidavit of petitioner No.3-Manmeet Singh, the
same is allowed. Main revision petition is taken on board for hearing
from 17.08.2016 to today.

CR No. 120 of 2016

Counsel for the petitioners has argued the case at length
but when this Court was not inclined to interfere in the matter on
merits, he, on instructions from petitioner No.3-Manmeet Singh, who
is present in Court, submitted that the petitioners may be granted
seven months' time to vacate the premises i.e. H.No.2022, Ward

CR No. 120 of 2016 (O&M)

No.7, Mohalla Ali, Rupnagar and would hand over the vacant possession of the same to the respondent on or before 31.12.2016.

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

1. The petitioners shall continue to occupy the demised premises for a period of seven months from today i.e. up to 31.12.2016.
2. The entire arrears of rent, if any, shall be deposited by the petitioners with the Rent Controller, Rupnagar, within a period of 15 days from today, failing which, the respondent shall be at liberty to execute the order of eviction, forthwith.
3. The petitioners shall continue to deposit the future rent by 7th day of every month with the Rent Controller, Rupnagar. 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 petitioners shall defray the electricity/ water charges for the period he would occupy the demised premises.
5. The petitioners 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. 31.12.2016 to the

CR No. 120 of 2016 (O&M)

respondent-landlord, failing which respondent-landlord shall be free to execute the order of eviction.

6. The petitioners shall furnish an undertaking in the form of an affidavit in the above terms, with the Rent Controller/Executing Court, within a period of 15 days from today, failing which, the respondent-landlord shall be at liberty to execute the order of eviction and obtain actual physical possession forthwith. The petitioners shall also render themselves liable to be proceeded against for initiation of contempt proceedings.

CM No.462-CII of 2016

In view of the dismissal of the main petition, no separate orders are required to be passed in this application for staying the operation of impugned judgments as the same has been rendered infructuous.

Disposed of as such.

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

May 09, 2016
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE