

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

Date of Decision : 30.03.2016

1) C.R. No.1529 of 2016 (O&M)

Kanwar Bhan

..... Petitioner

Versus

Ramesh Kumar

..... Respondent

2) C.R. No.1545 of 2016 (O&M)

Kanwar Bhan

..... Petitioner

Versus

Ramesh Kumar

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. L.S. Sidhu, Advocate
for the petitioner.

Ms. Rohini, Advocate
for Mr. Vishal Goel, Advocate
for the respondent.

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

AJAY TEWARI, J. (Oral)

Both these petitions are decided by the common order since
common issues are involved therein. These petitions have been filed against

the concurrent orders of the Courts below allowing ejectment of the petitioner-tenant from the demised premises.

On 03.03.2016 the following order was passed:-

“After arguing for some time, learned counsel states that he would not press these revisions on merits but the fact is that the petitioner has been running his business on the demised premises for the past almost 30 years and if he is granted reasonable time to relocate his business he would undertake to vacate the premises voluntarily without forcing the respondent to press the execution.

I find this to be a fair submission.

Notice of the petitions to Mr. Vishal Goel, Counsel for the caveator-respondent for 30.03.2016.

In the meantime, the dispossession of the petitioner shall remain stayed.

To be shown in the urgent list.

A photocopy of this order be placed on file of the connected case.”

Today learned counsel for the petitioner-tenant states that he may be granted a period of 1 year to vacate the premises voluntarily

Learned counsel appearing for the respondent-landlord states that in principle she has instructions to accept the reasonable time but the period of one year is too excessive since the landlord requires the premises for his own use and has stated that the petitioner should vacate the premises within two months.

Ultimately what has been settled between the parties is that the petitioner will pay the entire arrears of rent till date within 15 days and the respondent-landlord will permit him to retain the premises in dispute till

31.12.2016. Further the petitioner will continue to pay rent in advance by the 7th of every month and also pay the other charges regularly. Further it has been agreed that the petitioner will file an undertaking before the Executing Court within 15 days that he would vacate the premises in dispute voluntarily on or before 31.12.2016 without forcing the landlord to press the execution application and continue to pay the rent in advance by the 7th of every month and also pay other charges regularly and that he will pay the entire arrears of rent within 15 days.

At the request of learned counsel for the respondent-landlord, it is stipulated that in default of any of the above conditions this petition would be deemed to be dismissed.

Petitions stand disposed of.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

March 30, 2016

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**(AJAY TEWARI)
JUDGE**