

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.M. No. 530-CII of 2016 &
Civil Revision No. 157 of 2016

Date of decision: January 14, 2016

Suresh Kapila

...Petitioner

Versus

Dharamvir

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. V.B.Aggarwal, Advocate
for the petitioner.

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 six months' time and he would vacate the premises in question and hand over the vacant possession of the same to the respondent on or before 14.07.2016.

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 premises for a period of six months from today i.e. up to 14.07.2016.

2. The entire arrears of mesne profits, if any, shall be deposited by the petitioner with the Rent Controller, Chandigarh, 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 petitioner shall continue to deposit the future *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. 14.07.2016 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 15 days' 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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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.

January 14, 2016

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**