

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

C.R. No.1659 of 2016 (O&M)

Date of Decision : 30.03.2016

Raj Kumar Nagpal

..... Petitioner

Versus

Shivani Gupta

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sumeet Mahajan, Sr. Advocate
with Mr. Amit Kohar, Advocate
for the petitioner.

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)

This revision has been filed against the concurrent orders of the Courts below allowing ejectment of the petitioner-tenant from the demised premises.

After arguing for some time, on instructions from his client the learned senior counsel for the petitioner has stated that he will not press this petition on merits but since the petitioner is staying in the demised premises from the last more than 40 year a period of two years should be granted to him to vacate the premises voluntarily without forcing the respondent-landlord to press the execution application.

Notice of motion.

Mr. Sunil Chadha, Sr. Advocate with Mr. Vikas Gupta, Advocate has entered appearance on behalf of the respondent-landlord. He states that in principle he has instructions to accept the reasonable time but the period of two years is too excessive since the landlord requires the premises for her own use and has stated that the petitioner should vacate the premises on or before 31.12.2016.

Ultimately what has been settled between the parties is that the petitioner will pay the entire arrears of rent upto 31.03.2016 including those of mesne profits fixed by the appellate authority within 15 days and the respondent-landlord will permit him to retain the premises in dispute till 31.03.2017. Further the petitioner will continue to pay contractual rent w.e.f. 01.04.2016 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 31.03.2017 without forcing the landlord to press the execution application and continue to pay the contractual rent in advance by the 7th of every month @ Rs.3300/- p.m. and also pay other charges regularly and that he will pay the entire arrears of rent including those of mesne profits within 15 days.

At the request of learned senior 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.

Petition stands 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**