

CR No. 1676 of 2016 (O&M)

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

CR No. 1676 of 2016 (O&M)

Date of Decision: March 04, 2016

Dr. Alok Garg

...Petitioner

Versus

Asha & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. V.B. Aggarwal, 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 seven months' time to vacate the premises i.e. shop and would hand over the vacant possession of the same to the respondents 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 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 petitioner shall continue to occupy the

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demised premises for a period of seven 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, Yamuna Nagar at Jagadhari, within a period of 15 days from today, failing which, the respondents shall be at liberty to execute the order of eviction, forthwith.

3. The petitioner shall continue to deposit the future rent by 7th day of every month with the Rent Controller, Yamuna Nagar at Jagadhari. In the event of even a single default, the respondent-landlords 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-landlords, failing which respondent-landlords shall be free to execute the order of eviction.

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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 15 days from today, failing which, the respondent-landlords shall be at liberty to execute the order of eviction and obtain actual physical possession forthwith. The petitioner shall also render himself liable to be proceeded against for initiation of contempt proceedings.

This order will operate if the petitioner is in possession of the demised premises as on today.

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

Disposed of as such.

March 04, 2016

Harish

**(AUGUSTINE GEORGE MASIH)
JUDGE**