

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

C.M. NO.7038 CII OF 2015 &

C. R. NO.2342 OF 2015

DATE OF DECISION: APRIL 04, 2016

Kulbir Singh

.....Petitioner

VERSUS

Krishan Chand Jain

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

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

Present: Mr. Simranjeet Singh Sarwaha, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

C.M. No.7038 CII of 2015

Instant is an application for condonation of delay of 69 days in
refiling the petition.

Counsel for the applicant-petitioner states that the said delay
has occurred as on raising of some objections by the Registry, the Clerk of
the counsel inadvertently put the paper book in some other brief. The said
application is duly accompanied by an affidavit of the counsel.

In view of the above, the application is allowed and delay of 69
days in filing the revision is condoned.

Civil Revision No.2342 of 2015

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, who is still in possession of the demises premises, may be granted sometime to vacate the same. He says that the vacant possession of the demises premises will be handed over to the respondent-landlord on or before 30.06.2016.

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 up to 30.06.2016.
2. The entire arrears of rent/mesne profits, if any, shall be deposited by the petitioner with the Rent Controller, S.A.S.Nagar, Mohali, within a period of two weeks 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 rent/*mesne profits* by 7th of every month with the Rent Controller, S.A.S.Nagar, Mohali. 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. 30.06.2016 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, S.A.S.Nagar, Mohali, within a period of one week from today, failing which, the respondent-landlord shall be at liberty to execute the order of eviction and obtain actual physical possession.

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

**April 04, 2016
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**