

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

119+267

C.M. Nos. 7244-45-CII of 2016 &
C.M. No. 23229-CII of 2016 and
Civil Revision No. 2492 of 2016 (O&M)

Date of decision: November 17, 2016

Ravinder Verma

...Petitioner

Versus

Babu Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Jai Bhagwan, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

C.M. No. 7244-CII of 2016

C.M. is allowed subject to just exceptions. Filing of true typed copies of the impugned orders is dispensed with and the true photo/certified copies of the same are taken on record.

Civil Revision No. 2492 of 2016

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, on telephonic instructions from the petitioner, submitted that the petitioner, who is in possession of the demises premises, may be granted five months' time and he would vacate the premises i.e. shop and hand over the vacant possession of the same to the respondent on or before 30.04.2017.

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 five months from today i.e. up to 30.04.2017 provided he is in possession of the demised premises today.
2. The entire arrears of rent, if any, shall be deposited by the petitioner with the Rent Controller, Malerkotla either in cash or through bank draft 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, Malerkotla. 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. 30.04.2017 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, Malerkotla, within a period of two weeks from today, failing which, the respondent-landlord shall be at liberty to execute the order of eviction and obtain actual physical possession.

7. In case of violation of any of the undertaking(s), the petitioner shall render himself liable to be proceeded against for contempt.

C.M. Nos. 7245 and 23229-CII of 2016

In view of the dismissal of the main petition, no separate orders are required to be passed in these applications for stay and, therefore, the same stand dismissed.

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

November 17, 2016

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**