

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

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Civil Revision No.3003 of 2015 (O&M)
Date of Decision: March 02, 2016

Narinder Singh Bedi

...Petitioner

Versus

Gurnam Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rajesh Gupta, Advocate
for the petitioner.

Mr. Vipin Mahajan, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.26787-CII of 2015

In the light of the fact that the main case is listed for today, the present application is rendered infructuous.

Disposed of accordingly.

CR No.3003 of 2015

Counsel for the petitioner, after arguing for some time, in the light of the order dated 04.05.2015 passed by this Court, submitted that the petitioner may be granted some more time to vacate the demised premises and hand over the vacant possession of the same to the respondent on or before 30.06.2016.

Counsel for the respondent states that the petitioner has already availed nine months in view of the interim order dated 04.05.2015.

On 04.05.2015, following order was passed by this Court:-

“After hearing the counsel for the petitioner, it is transpired that this petition is not likely to succeed on merits. The counsel for the petitioner requests for time to vacate the demised premises in order to enable the petitioner-tenant to find out some suitable alternative accommodation.

Notice of motion for the above-said limited purpose only, returnable by 23.7.2015.

In the meanwhile, operation of both the impugned judgments shall remain stayed, subject to the following conditions:-

- (i) that petitioner shall clear all the arrears of rent, if any, within a period of 21 days from today; and*
- (ii) that the petitioner shall continue to pay the future rent by 11th of each month till further order.*

In case the petitioner fails to comply with any of these conditions, then in that eventuality the stay order shall stand automatically vacated”.

In view of and in the light of the above, counsel for the petitioner states that the demised premises shall be vacated by the petitioner and vacant possession handed over to the respondent-landlord on or before 30.06.2016, which has also been accepted by the counsel for the respondent subject to certain riders which have been accepted by the petitioner's counsel. In view of this, the present petition stands disposed of in the following terms:-

1. The petitioner shall continue to occupy the demised premises upto 30.06.2016.
2. The entire arrears of rent/mesne profits, if any, shall be deposited by the petitioner with the Rent Controller, Gurdaspur, within a period of two weeks, 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 on or before 7th day of every month with the Rent Controller, Gurdaspur. 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 the 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, Gurdaspur, on or before 30.06.2016, failing which, the respondent-landlord shall be at liberty to execute the order of eviction and obtain actual physical possession forthwith.

In the light of the disposal of the petition, the application for stay i.e. CM No.9267-CII of 2015, stands disposed of as infructuous.

March 02, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE