

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

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Civil Revision No.3135 of 2016 (O&M)

Date of Decision: May 04, 2016

Brij Mohan and another

.....Petitioners

Versus

Balwant Singh Mehendiratta through his LRs and another

....Respondents

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

Present: Mr. Prateek Gupta, Advocate
for the applicants-petitioners.

AUGUSTINE GEORGE MASI, J. (ORAL)

CM No.9322-CII of 2016

Prayer in this application is for condonation of delay of 22 days
in filing the petition.

For the reasons mentioned in the application which is
supported by the affidavit of applicant-petitioner No.1, the present
application is allowed.

Delay of 22 days in filing the petition stands condoned.

CR No.3135 of 2016

Counsel for the petitioners, after arguing the case for some
time, when this Court was not accepting the same on merits, stated that the
petitioners-tenants are still in possession of the demised premises and
prayed that nine months' time may be granted to the petitioners-tenants to
vacate the same and to hand over the vacant possession to the
respondents-landlord on or before 28.02.2017.

In view of the above, this revision petition stands dismissed on
merits. However, as per the statement made by the counsel for the

petitioners, without issuing any formal notice to the respondents and to avert any further delay and the expenses which the respondents-landlord shall have to incur to defend these proceedings, the petition is disposed of in the following terms:-

1. The petitioners shall continue to occupy the demised premises up to 28.02.2017.
2. The entire arrears of rent/mesne profits, if any, shall be deposited by the petitioners with the Rent Controller, Amritsar, on or before 18.05.2016, failing which, the respondents shall be at liberty to execute the order of eviction, forthwith.
3. The petitioners shall continue to deposit the future mesne profits by 7th of every month with the Rent Controller, Amritsar. In the event of even a single default, the respondents-landlord shall be free to execute the order of eviction and obtain possession, forthwith.
4. The petitioners shall defray the electricity/water charges for the period he would occupy the demised premises.
5. The petitioners 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. 28.02.2017 to the respondents-landlord, failing which respondents-landlord shall be free to execute the order of eviction.
6. The petitioners shall furnish an undertaking in the form

of an affidavit in the above terms, with the Rent Controller/Executing Court, Amritsar, on or before 18.05.2016, failing which, the respondents-landlord shall be at liberty to execute the order of eviction and obtain actual physical possession.

In view of the above, the application for stay i.e. CM No.9323-CII of 2016 stands disposed of as infructuous.

May 04, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE