

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

120

Civil Revision No.3870 of 2015 (O&M)

Date of Decision: October 26, 2016

Bhagwan Dass

...Petitioner

Versus

Smt. Raj Rani and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Jagdish Manchanda, Advocate
for the petitioner.

Mr. Deepak Verma, Advocate
for respondent No.1.

AUGUSTINE GEORGE MASIH, J. (ORAL)

While issuing notice of motion on 05.06.2015, following order
was passed:-

*“Learned counsel for the petitioner states that
petitioner confines his prayer for granting reasonable time to
vacate the premises in question.*

*In view of the aforesaid, let notice of motion be issued
to respondents for 13.08.2015.*

Till then status quo be maintained by the parties”.

Thereafter, unfortunately the matter could not be taken up for
hearing and it was only taken up on 21.10.2016, on which date the counsel
for the petitioner was not present.

Counsel for respondent No.1 points out that after the passing of
the order of eviction by the Appellate Authority while dismissing his appeal
on 22.04.2015, the petitioner has been in possession of the
demised premises for more than one year and six months. Even after the
issuance of notice of motion by this Court on 05.06.2015, more than one
year and four months have passed by.

Keeping in view the peculiar facts and circumstances of the present case, petitioner is directed to vacate the premises on or before 31.12.2016.

This shall be subject to the petitioner depositing all the arrears of rent/mesne profits, if any, with the Rent Controller, Kaithal, within a period of three weeks from today. Petitioner shall continue to deposit the rent/mesne profits with the Rent Controller, Kaithal, by 7th of each month. One default on the part of the petitioner in deposit of rent/mesne profits would render the petitioner liable to be evicted forthwith on the application of the respondent-landlord.

The Executing Court may even resort to granting police help for eviction, if need be, forthwith.

The present petition is disposed of in above terms.

In the light of the disposal of the petition, pending applications stand disposed of as infructuous.

October 26, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No