

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

137

Civil Revision No.3941 of 2016 (O&M)

Date of Decision: November 28, 2016

Subhash Chand

.....Petitioner

Versus

Arya Samaj Safidon and another

....Respondents

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

Present: Mr. Munish Kumar Garg, Advocate
for the applicant-petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.12020-CII of 2016

Prayer in this application is for exemption from filing the certified copies of impugned order dated 30.04.2014 as well as Annexures P-1 to P-6.

Application is allowed.

Exemption from filing the aforesaid documents is granted subject to just exceptions.

CM No.12021-CII of 2016

Prayer in this application is for permission to place on record Annexures P-1 to P-6.

Application is allowed.

Documents Annexures P-1 to P-6 are taken on record subject to just exceptions.

CR No.3941 of 2016

Counsel for the petitioner, after arguing the case for some time, when this Court was not accepting the same on merits, stated that the

petitioner-tenant is still in possession of the demised premises and prayed that four months' time may be granted to the petitioner-tenant to vacate the same and to hand over the vacant possession to respondent No.1-landlord on or before 31.03.2017.

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 respondents and to avert any further delay and the expenses which the respondent-landlord 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 upto 31.03.2017, provided he is in possession today.
2. The entire arrears of rent/mesne profits, if any, shall be deposited by the petitioner with the Rent Controller, Safidon, either through cash or through draft, on or before 13.12.2016, failing which, respondent No.1 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, Safidon, either through cash or through draft. 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. 31.03.2017 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, Safidon, on or before 13.12.2016, 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.

In view of the disposal of the revision petition, application for stay i.e. CM No.12022-CII of 2016, stands disposed of as infructuous.

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

November 28, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No