

Civil Revision No.4436 of 2015 (O&M)

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

Civil Revision No.4436 of 2015 (O&M)

Date of Decision: January 20, 2016

Smt. Aksharjit & antoher

...petitioners

Versus

Major General Vijay Bharat Batra (Retd.)

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Deepak Sharma, Advocate
for the non-applicant-petitioners.

Mr.Lalit Thakur, Advocate
for the applicant-respondent.

AUGUSTINE GEORGE MASIH, J. (Oral):

CM No.27290-CII of 2015

Keeping in view the order dated 16.07.2015 passed by
this Court and for the reasons mentioned in the application, the same
stands allowed.

The hearing of the main revision petition is preponed and
the same is taken on board.

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Counsel for the petitioners has argued the case at length
but when this Court was not inclined to interfere in the matter on
merits, he submitted that the petitioners may be granted six months'
time and they would vacate the premises i.e. shop and hand over the

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vacant possession of the same to the respondent on or before 31.07.2016.

In view of the above, this revision petition stands dismissed on merits. However, as per the statement made by the counsel for the petitioners, the petition is disposed of, in the following terms:

1. The petitioners shall continue to occupy the demised premises from today up to 31.07.2016.
2. The entire arrears of rent/*mesne profits*, if any, shall be deposited by the petitioners with the Rent Controller, Ambala, 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 petitioners shall continue to deposit the future rent/*mesne profits* by 7th of every month with the Rent Controller, Ambala. 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 petitioners shall defray the electricity/ water charges for the period they 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. 31.07.2016 to the respondent-landlord, failing which respondent-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, 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.

CM No.13598-CII of 2015

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

January 20, 2016*Harish***(AUGUSTINE GEORGE MASIH)
JUDGE**