

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

118

CM No.15434-CII of 2016 in/and
Civil Revision No.4748 of 2016 (O&M)

Date of Decision: August 10, 2016

Usha Narula

.....Petitioner

Versus

Shree Gurudwara Singh Sabha Udham Singh Nagar (Regd) Gurudwara,
Ludhiana

....Respondent

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

Present: Mr. Dinesh Kumar Gupta, Advocate
for the applicant-petitioner.

AUGUSTINE GEORGE MASI, J. (ORAL)

CM No.15434-CII of 2016

Prayer in this application is for preponing the hearing of the revision petition which is listed for hearing on 24.08.2016.

For the reasons mentioned in the application which is duly supported by the affidavit of applicant-petitioner-Usha Narula, the present application is allowed.

Hearing of the main revision petition is preponed and the same is taken on board for consideration.

CM No.14558-CII of 2016

Prayer in this application is for exemption from filing certified copy of the judgment and decree passed by the trial Court and for permission to place on record a photocopy thereof.

Application is allowed.

Exemption from filing the certified copy of judgment and decree passed by the trial Court is granted and photocopy of the same is taken on record subject to just exceptions.

CR No.4748 of 2016

Counsel for the petitioner, after arguing the case at length when found that this Court was not inclined to accept the same on merits, prayed that six months' time may be granted to the petitioner-tenant to vacate the demised premises, which is still in her possession and hand over the vacant possession to the respondent-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 counsel for the petitioner, without issuing any formal notice to the respondent 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 which have been accepted by the counsel:-

1. The petitioner shall continue to occupy the demised premises upto 28.02.2017.
2. The entire arrears of rent/mesne profits, if any, shall be deposited by the petitioner with the Rent Controller, Ludhiana, on or before 25.08.2016, 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 by 7th of every month with the Rent Controller, Ludhiana. 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 she 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. 28.02.2017 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, Ludhiana, on or before 25.08.2016, 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 herself liable to be proceeded against for contempt.

In view of the disposal of the revision petition, the application for stay i.e. CM No.14559-CII of 2016, stands disposed of as infructuous.

August 10, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No