

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

227

Civil Revision No.4557 of 2014 (O&M)

Date of Decision: April 04, 2016

Dr. Kuldeep Kumar Attri

.....Petitioner

Versus

Jai Parkash

....Respondent

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

Present: Mr. Parminder Singh, Advocate
for the petitioner along with Dr. Kuldeep Kumar Attri.

Mr. Hemen Aggarwal, Advocate
for the respondent along with Mr. Vikas Aggarwal,
respondent No.1A.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner, after arguing the case at length when found that this Court was not inclined to accept the same on merits, on instructions from the petitioner-tenant, who is present in Court, prayed that fifteen months' time may be granted to the petitioner-tenant to vacate the demised premises and hand over the vacant possession to the respondent-landlord on or before 30.06.2017.

Counsel for the respondent, on instructions from respondent No.1A, who is present in Court, accepted the said proposal subject to certain riders which have been accepted by the petitioner and his counsel.

In view of the above, this revision petition stands dismissed on merits subject to following terms and conditions:-

1. The petitioner shall continue to occupy the demised premises up to 30.06.2017.
2. The entire arrears of rent, which is stated to be of thirty

months till date, at the rate of ₹850/- per month, shall be deposited by the petitioner in Savings Bank Account No.06502010028020 maintained in Oriental Bank of Commerce, Branch Naraingarh, supplied by Mr. Vikas Aggarwal, one of the legal representatives of the respondent, who is present in Court, 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 petitioner shall continue to deposit the future mesne profits by 7th of every month in the above-mentioned account. 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. 30.06.2017 to the respondent-landlord, failing which respondent-landlord shall be free to execute the order of eviction and take physical possession forthwith with the help of police.
6. The petitioner shall furnish an undertaking in the form of an affidavit in the above terms, with the Rent Controller/Executing Court, Naraingarh, on or before 21.04.2016, failing which, the respondent-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.13858-CII of 2014, stands disposed of as infructuous.

April 04, 2016

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**