

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

**Civil Revision No.5159 of 2016 (O&M)
Date of Decision: September 20, 2016**

Shanti Devi

.....Petitioner

Versus

Anil Kumar and others

....Respondents

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

Present: Mr. Abhisehk Yadav, Advocate
 for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.15846-CII of 2016

Present is the application for condonation of delay of 173 days
in re-filing the revision.

For the reasons mentioned in the application which is duly
supported by an affidavit of the counsel for the petitioner, delay of 173 days
in re-filing the revision is condoned.

The application stands allowed.

CM No.15847-CII of 2016

Present is the application for condonation of delay of 11 days in
filing the revision.

For the reasons mentioned in the application which is duly
supported by an affidavit of the petitioner, delay of 11 days in filing the
revision is condoned.

The application stands allowed.

CM No.15848-CII of 2016

Application is allowed as prayed for subject to all just exceptions and exemption from filing the true typed copies of the order dated 11.09.2015 is granted.

Civil Revision No.5159 of 2016

Learned counsel for the petitioner, after arguing the case for some time, when this Court was not inclined to accept the same on merits, stated that the petitioner-tenant is still in possession of the demised premises and prayed that he may be granted four months' time to vacate the same and to hand over the vacant possession to the respondents-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 counsel for the petitioner, without issuing any formal notice to the respondents and to avert any further delay and the expenses which the respondents-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 31.03.2017 provided she is in possession today.
2. The entire arrears of rent/mesne profits, if any, shall be deposited by the petitioner with the Rent Controller, Rewari, within a period of fifteen days from today, failing which, the respondents 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, Rewari. In the event of even a single default, the respondents-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 respondents-landlord, failing which respondents-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, Rewari, within a period of fifteen days from today, failing which, the respondents-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.

Since the main appeal stands disposed of, *CM No.15849-CII of 2016* also stands disposed of as infructuous.

September 20, 2016

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(AUGUSTINE GEORGE MASIH)

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No.