

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

123

Civil Revision No.5584 of 2016 (O&M)

Date of Decision: August 31, 2016

Babu Lal

.....Petitioner

Versus

Gurinder Singh Kalsey

....Respondent

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

Present: Mr. Sapan Dhir, Advocate
for the applicant-petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.17200-CII of 2016

Prayer in this application is for exemption from filing certified/original copies of Annexures P-1 to P-9 and for permission to file true typed/translated/photocopies of the same.

Application is allowed subject to just exceptions.

Exemption from filing the aforesaid documents is granted and true typed/translated/photocopies of the same are taken on record.

CR No.5584 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, on instructions from the petitioner-tenant, who is present in Court, prayed that six months' time may be granted to the petitioner-tenant to vacate the demised premises, which is still in his possession and hand over the vacant possession of the same 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, if 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, Chandigarh, on or before 15.09.2016, 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, Chandigarh. 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 they 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, Chandigarh, on or before 15.09.2016, 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, the application for stay i.e. CM No.17201-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.

August 31, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No