

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

**CR No.5348 of 2014 (O&M)
Date of decision: 04.10.2016**

Damodar

..... Petitioner

Versus

Saroj Jain

..... Respondent

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Satinder Khanna, Advocate for the petitioner.

Ms. Deepali Puri, Advocate for the respondent.

ARUN PALLI, J. (Oral)

Rent Controller, Ludhiana had ordered eviction of the petitioner/tenant, vide order and judgment dated 25.01.2014, on account of personal necessity. The appeal preferred by the petitioner/tenant against the said order failed, for it was dismissed vide judgment dated 12.05.2014. This is how, the petitioner-tenant is before this Court.

Having argued the matter at some length, learned counsel for the petitioner-tenant submits that he does not wish to press the petition on merits, and rather petitioner be only afforded 9 month's time to vacate the demised premises.

The prayer is not opposed by learned counsel for the respondent-landlord, for she maintains that let time prayed for be granted to the petitioner/tenant.

That being so, the petition is disposed of in the following terms:-

1. Petitioner shall continue to occupy the demised premises for a period of 9 months from today i.e. up to 03.07.2017
2. Petitioner shall deposit entire arrears of rent, if any, on the agreed rate of rent, within a period of two months from today with the respondent-landlord, failing which the respondent shall be at liberty to execute the order of eviction.
3. Petitioner shall continue to pay future rent/mesne profits with the respondent-landlord by 7th of every month. In the event of even a single default landlord shall be at liberty to execute the order of eviction forthwith.
4. Petitioner shall defray all the electricity and water charges for the period he would occupy the demised premises.
5. Petitioner shall vacate the demised premises and hand over its actual physical possession, free from all encumbrances, to the respondent-landlord on or before the stipulated date i.e. 3.7.2017, failing which respondent shall be at liberty to execute the order of eviction and obtain possession.
6. Petitioner shall furnish an undertaking in the form an affidavit in the above terms with this Court as also the executing Court within a period of one week from today, failing which, again respondent-landlord shall be at liberty to execute the order of eviction.

04.10.2016

Manoj Bhutani

(ARUN PALLI)
JUDGE