

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

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Civil Revision No.5586 of 2013 (O&M)

Date of Decision: November 28, 2016

National Insurance Company Limited

.....Petitioner

Versus

Smt. Reeta Katpal and others

....Respondents

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

Present: Mr. A.K. Jain, Advocate
for the petitioner.

Mr. Amit Jain, Advocate
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner states that the petitioner is ready and willing to vacate the premises in question which is still in its possession and hand over the vacant possession of the same to the respondents-landlords on or before 30.11.2017. This the counsel states with reference to a letter dated 28.11.2016 received by him from the petitioner and produced in Court, which is taken on record.

Counsel for the respondents accepted the said proposal subject to certain riders which have been accepted by the counsel for the petitioner.

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 upto 30.11.2017, provided the petitioner is in possession today.
2. The entire arrears of rent/mesne profits, if any, shall be

deposited by the petitioner with the Rent Controller, Kaithal, either through cash or through draft, on or before 13.12.2016, 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, Kaithal, either through cash or through draft. In the event of even a single default, the respondents-landlords 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. 30.11.2017 to the respondents-landlords, failing which respondents-landlords 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, Kaithal, on or before 13.12.2016, failing which, the respondents-landlords 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 itself liable to be proceeded against for contempt.

In view of the disposal of the revision petition, application for stay i.e. CM No.18933-CII of 2016, stands disposed of as infructuous.

Copy of this order be given ***dasti*** to the counsel for the parties under signatures of Bench Secretary of this Court.

November 28, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No