

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

119

Civil Revision No.5678 of 2016 (O&M)

Date of Decision: September 02, 2016

Dharminder Kumar

.....Petitioner

Versus

Pawan Kumar

....Respondent

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

Present: Mr. Ramesh Goyal, Advocate
for the applicant-petitioner.

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, prayed that nine 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 31.05.2017.

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 31.05.2017, provided 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 17.09.2016, 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. 31.05.2017 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 17.09.2016, 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.17412-CII of 2016, stands disposed of as infructuous.

September 02, 2016
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No