

CR No. 5760 of 2016 (O&M)

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

CR No. 5760 of 2016 (O&M)

Date of Decision: September 05, 2016

Harkrishan Lal & others

...Petitioners

Versus

Satnam Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ravi Kant Kagra, Advocate
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (Oral):

CM No.17795-CII of 2016

Prayer in this application is for condonation of delay of 198 days in filing the revision petition.

For the reasons mentioned in the application which is duly supported by the affidavit of Smt.Kiran-petitioner No.2, the same is allowed. Delay of 198 days in filing the revision petition stands condoned.

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Counsel for the petitioners has argued the case at length but when this Court was not inclined to interfere in the matter on merits, he submitted that the petitioners may be granted time till 30.04.2017 to vacate the premises in question i.e. shop and would hand over the vacant possession of the same to the respondent-landlord on or before 30.04.2017.

In view of the above, this revision petition stands dismissed on

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merits. However, 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 accepting the statement as made by the counsel for the petitioners subject to the condition that the petitioners are in possession of the demised premises as on today, in the following terms:

1. The petitioners shall continue to occupy the demised premises for a period of seven months and 25 days from today i.e. up to 30.04.2017.
2. The entire arrears of rent, if any, shall be deposited by the petitioners with the Rent Controller, Nakodar, within a period of one month from today, failing which, the respondent shall be at liberty to execute the order of eviction, forthwith.
3. The petitioners shall continue to deposit the future rent by 7th day of every month with the Rent Controller, Nakodar. 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 petitioners shall defray the electricity/ water charges for the period they would occupy the demised premises.
5. The petitioners 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. 30.04.2017 to the respondent-landlord, failing which respondent-landlord shall be free to execute the order of eviction.
6. The petitioners shall furnish an undertaking in the form of an affidavit in the above terms, with the Rent

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Controller/Executing Court, within a period of one month from today, failing which, the respondent-landlord shall be at liberty to execute the order of eviction and obtain actual physical possession forthwith.

7. In case of violation of any of the undertaking(s), the petitioners shall render themselves liable to be proceeded against for contempt.

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

CM No.17796-CII of 2016

In view of the order passed in the main revision petition, no order is required to be passed in the present application as the same has been rendered infructuous.

Disposed of as such.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

September 05, 2016
Harish

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No