

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

**Civil Revision No.5798 of 2016 (O&M)  
Date of Decision: September 07, 2016.**

Narata Ram

**.....PETITIONER(s).**

**VERSUS**

Mehar Chand

**....RESPONDENT(s).**

**CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Ashok Tyagi, Advocate  
for the petitioner (s).

\*\*\*\*\*

**SURINDER GUPTA, J.(Oral)**

**CM-17963-CII-2016**

Heard. There is delay of 57 days in filing the revision petition.

Learned counsel for the revision petitioner submits that petitioner-tenant is a poor and rustic person and could not contact and engage a counsel in time, resulting in delay of 57 days in filing the appeal, which is neither intentional nor malafide. He has not gained due to delay in filing the revision.

In view of submission of counsel for the petitioner, the application is allowed and delay of 57 days in filing the revision petition is, hereby, condoned.

CR-5798-2016

After arguing for some time, learned counsel for the petitioner seeks permission to withdraw this petition with prayer that petitioner be allowed reasonable time for vacating and handing over the possession of the demised premises to the respondent-landlord.

In view of request made by learned counsel for the petitioner, this petition is dismissed as withdrawn. The revision petitioner is allowed period upto 01.03.2017 to vacate and hand over the vacant possession of the demised premises to the respondent-landlord, subject to the following terms:-

- (i) The petitioner-tenant will pay/deposit the entire due rent upto 30<sup>th</sup> September 2016 within two weeks.
- (ii) He will keep on paying/depositing the advance rent/mesne profits of subsequent months upto 01.03.2017 on or before 7<sup>th</sup> day of each month.
- (iii) He will file affidavit before the Rent Controller within three weeks giving details of entire payment of rent/mesne profits and undertaking to vacate and hand over the vacant possession of the demised premises to the respondent on or before 01.03.2017.

In case of default of any of the above terms, the respondent-landlord will be entitled to execute the order of ejectment forthwith.

The order has been passed in the absence of respondent to avoid unnecessary delay and expenses. A copy of this order be conveyed to the respondent. In the event of respondent having any objection, he

may file application to that effect. On receipt of the application, the same be listed for hearing.

**September 07, 2016.**  
*Sachin M.*

**( SURINDER GUPTA )**  
**JUDGE**

|                                          |                      |
|------------------------------------------|----------------------|
| <b><i>Whether speaking/reasoned:</i></b> | <b><i>Yes/No</i></b> |
| <b><i>Whether Reportable:</i></b>        | <b><i>Yes/No</i></b> |