

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.M. No. 18170-CII of 2016 &
Civil Revision No. 5888 of 2016(O&M)

Date of decision: December 15, 2016

ECL Telecommunications Ltd. and another

...Petitioners

Versus

Mehar Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vishal Gupta, Advocate,
for the petitioners.

Mr. Divanshu Jain, Advocate,
for the respondent.

AUGUSTINE GEORGE MASIH, J. (ORAL)

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, who are in possession of the demised premises, may be granted one year time and they would vacate the premises and hand over the vacant possession of the same to the respondent on or before 31.12.2017.

In view of the above, this revision petition stands dismissed on merits. However, as per the statement made by the counsel for the petitioners, the petition is disposed of, in the following terms:-

1. The petitioners shall continue to occupy the demised premises for a period of one year from today i.e. up to 31.12.2017 provided they are in possession of the

demised premises today.

2. The entire arrears of rent, if any, shall be deposited by the petitioners with the Rent Controller, Chandigarh, either in cash or through bank draft within a period of two weeks 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/*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 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. 31.12.2017 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 Controller/Executing Court, Chandigarh, within a period of two weeks from today, 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 petitioners shall render themselves liable to be proceeded against for contempt.

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In view of the dismissal of the main petition, no separate orders are required to be passed in this application for stay and, therefore, the same stands dismissed.

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

December 15, 2016
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No