

CIVIL REVISION NO.7020 OF 2016 (O&M)

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

**C.M. NOS.21640-41 CII OF 2016 &
CIVIL REVISION NO.7020 OF 2016**

DATE OF DECISION: NOVEMBER 10, 2016

Surinder Singh Mehndiratta

.....Petitioner

VERSUS

Sikander Lal Saluja (since deceased) through his L.Rs

....Respondents

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

Present: Mr. J. K. Goel, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

C.M. No.21640-CII of 2016

Application is allowed as prayed for subject to all just exceptions.

C.M. No.21641 CII of 2016 & Civil Revision No.7020 of 2016

Counsel for the petitioner has argued the case at length but when this Court was not inclined to interfere in the matter on merits, he submitted that the petitioner, who is in possession of the demises premises, may be granted eight months' time and he would vacate the premises i.e. S.C.F and hand over the vacant possession of the same to the respondents on or before 31.07.2017.

In view of the above, this revision petition stands dismissed on merits. However, as per the statement made by the counsel for the petitioner, without issuing any formal notice to the respondent, to avert any

further delay and the expenses that he shall have to incur to defend these proceedings, the petition is disposed of, in the following terms:-

1. The petitioner shall continue to occupy the demised premises for a period of five months from today i.e. up to 31.07.2017.
2. The entire arrears of rent, if any, shall be deposited by the petitioner with the Rent Controller, Chandigarh, 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 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 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. 31.07.2017 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, 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 petitioner shall render himself liable to be proceeded against for contempt.

CM No.21641-CII of 2016

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 petitioner under signatures of the Bench Secretary of this Court.

**November 10, 2016
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**(AUGUSTINE GEORGE MASIH)
JUDGE**

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