

CM No.12995-CII of 2016 in/and
CR No. 7426 of 2015

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

CM No.12995-CII of 2016 in/and
CR No. 7426 of 2015

Date of Decision: July 08, 2016

Vinod Kumar

...Petitioner

Versus

Mahesh Kumar & another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Arun Bansal, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (Oral):

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Prayer in this application is for preponement of date of hearing of the main revision petition.

For the reason mentioned in the application which is duly supported by the affidavit of the petitioner, the same is allowed. Main revision petition is taken on board for hearing from 19.10.2016 to today.

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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, on instructions from the petitioner, submitted that the petitioner may be granted time till 30.04.2017 to vacate the premises

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in question i.e. Property No.B-7/165, Mohalla Balmiki (Gur Mandi), near post office, Hoshiarpur and would hand over the vacant possession of the same to the respondents on or before 30.04.2017.

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 respondents and to avert any further delay and the expenses which the respondent-landlords 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 ten months from today i.e. up to 30.04.2017.
2. The entire arrears of rent, if any, shall be deposited by the petitioner with the Rent Controller, Hoshiarpur, within a period of 15 days from today, failing which, the respondents shall be at liberty to execute the order of eviction, forthwith.
3. The petitioner shall continue to deposit the future rent by 7th day of every month with the Rent Controller, Hoshiarpur. In the event of even a single default, the respondent-landlords 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

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premises, free from all incumbrances, on or before the stipulated date i.e. 30.04.2017 to the respondent-landlords, failing which respondent-landlords 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, within a period of 15 days from today, failing which, the respondent-landlords 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 petitioner shall render himself liable to be proceeded against for contempt.

July 08, 2016
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE