

CR No. 744 of 2016 (O&M)

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

CR No. 744 of 2016 (O&M)

Date of Decision: February 09, 2016

Gulshan General Store & another

...Petitioners

Versus

Lov Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Gitish Bhardwaj, Advocate
for the petitioners.

Mr. Sunil Chadha, Senior Advocate with
Mr. Chetan Bansal, Advocate
for the caveator-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 may be granted five months' time and they would vacate the premises i.e. shop and hand over the vacant possession of the same to the respondent on or before 31.07.2016.

In view of the above, this revision petition stands dismissed on merits. However, as per the statement made by the counsel for the petitioners which has also been endorsed by the counsel for the respondent, to avert any further delay and the expenses which the parties shall have to incur to defend these

proceedings, the petition is disposed of, in the following terms:

1. The petitioners shall continue to occupy the demised premises for a period of five months from today i.e. up to 31.07.2016.
2. The entire arrears of rent, if any, shall be deposited by the petitioners with the Rent Controller, Fatehgarh Sahib, within a period of one week 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, Fatehgarh Sahib. 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. 31.07.2016 to the respondent-landlord, failing which respondent-

CR No. 744 of 2016 (O&M)

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

CM No.2487-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.

February 09, 2016

Harish

**(AUGUSTINE GEORGE MASIH)
JUDGE**