

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

**C.M. NO.23623 CII OF 2016 &
CIVIL REVISION NO.7881 OF 2016
DATE OF DECISION: DECEMBER 02, 2016**

Raj Kumar

.....Petitioner

VERSUS

Smt.Savitri Devi and others

....Respondents

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

Present: Mr. Ashok Kumar Khunger, Advocate,
for the petitioner.

Mr. Ravish Bansal, Advocate,
for Caveator-respondent No.1.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Notice of motion.

Mr. Ravish Bansal, Advocate, counsel for the Caveator-respondent accepts notice on behalf of respondent No.1. Caveat stands discharged.

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 one year's time and he would vacate the premises i.e. shop and hand over the vacant possession of the same to the respondents on or before **30.11.2017**.

Counsel for respondent No.1 accepted the said proposal. In view of the above, this revision petition stands dismissed on merits subject to following terms and conditions:-

1. The petitioner shall continue to occupy the demised premises from today up to **30.11.2017** provided he is in possession of the demised premises.
2. The entire arrears of rent, if any, shall be deposited by the petitioner in cash or by way of Bank Draft with the Rent Controller, Abohar, within a period of two weeks 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/*mesne profits* by 7th of every month with the Rent Controller, Abohar. 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. **30.11.2017** to the respondent-landlord, failing which respondent-landlord shall be free to execute the order of eviction and take physical possession forthwith with the help of police.

6. The petitioner shall furnish an undertaking in the form of an affidavit in the above terms, with the Rent Controller/Executing Court, Abohar, 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.23623-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.

**December 02, 2016
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**

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