

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

**C.M. NO.24447 CII OF 2016 &
CIVIL REVISION NO.8098 OF 2016
DATE OF DECISION: DECEMBER 02, 2016**

Balbir Singh and others

.....Petitioners

VERSUS

Ramesh Kumar

....Respondent

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

Present: Mr. S. P. Soi, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASI, 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 demises premises, may be granted six months' time and they would vacate the premises i.e. shop and hand over the vacant possession of the same to the respondents on or before **31.05.2017**.

In view of the above, this revision petition stands dismissed on merits. However, as per the statement made by the counsel for the petitioners, 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 petitioners shall continue to occupy the demised

premises from today up to **31.05.2017** provided they are in possession of the demised premises.

2. The entire arrears of rent, if any, shall be deposited by the petitioners by way of cash/bank draft with the Rent Controller, Jalandhar, 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, Jalandhar. 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. **31.05.2017** 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, Jalandhar, 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.

CM No.24447-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