

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

CIVIL REVISION NO.8174 OF 2016

DATE OF DECISION: DECEMBER 05, 2016

Raj Kumar

.....Petitioner

VERSUS

Kapoor Chand and others

....Respondents

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

**Present: Mr. Gurbir Singh Sidhu, Advocate,
for the petitioner.**

AUGUSTINE GEORGE MASI, J. (ORAL)

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 six months' 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 **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 petitioner, without issuing any formal notice to the respondents, 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 from today up to **31.05.2017**. provided he is in

possession of the demised premises.

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

In case the petitioner has deposited rent in excess of the arrears, which has been granted by this Court, he may move an appropriate application before the Rent Controller, Budhlada, to withdraw the same.

Copy of the order be given ***dasti*** to the counsel for the petitioner under signatures of the Bench Secretary of this Court.

**December 05, 2016
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**

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