

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

247/A

C.M. No. 28925-926-CII of 2014 &
Civil Revision No. 8814 of 2014 (O&M)

Date of decision: July 21, 2016

Karam Chand

...Petitioner

Versus

Dharam Pal

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. M.S.Virdi, Advocate,
for the petitioner.

Mr. Naresh Chander, Advocate,
for Mr. R.S.Chauhan, Advocate,
for the respondent.

AUGUSTINE GEORGE MASI, J. (ORAL)

C.M. No. 28925-CII of 2014

Prayer in this application is for condonation of delay of 10 days
in filing the appeal.

For the reasons mentioned in the application, which is duly
supported by the affidavit of the petitioner, the same is allowed. Delay of
10 days in filing the appeal stands condoned.

Civil Revision No. 8814 of 2014

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 may be granted three months' time and he
would vacate the premises in question and hand over the vacant possession

of the same to the respondent on or before 31.10.2016.

In view of the above, this revision petition stands dismissed on merits. However, as per the statement made by the counsel for the petitioner, the petition is disposed of, in the following terms:-

1. The petitioner shall continue to occupy the demised premises for a period of three months from today i.e. up to 31.10.2016.
2. The entire arrears of rent/mesne profits, if any, shall be deposited by the petitioner with the Rent Controller, Pathankot, within a period of 15 days' from today, failing which, the respondent 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, Pathankot. 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. 31.10.2016 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, Pathankot, within a period of 15 days' 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.

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In view of the dismissal of the main petition, no separate orders are required to be passed in the application for stay and, therefore, the same stands dismissed.

July 21, 2016

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**