

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

**RSA No.4409 of 2016 (O&M)**

**Date of decision : 23.12.2016**

**Ashwani Kumar**

.....Appellant

*Versus*

**Jugal Kishore**

...Respondent

**CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH**

Present: Appellant in person with  
Mr. Sanjay Vashisth, Advocate.

Respondent in person with  
Mr. Jaideep Verma, Advocate.

\*\*\*\*

**DARSHAN SINGH, J. (Oral)**

Respondent Jugal Kishore has made the statement, which is reproduced as under : -

*“That I have no objection if the appellant is given time to vacate the demised premises on or before 15.03.2017. In the meanwhile I will not pursue the execution of the warrant of possession.”*

2. Appellant Ashwani Kumar has made the statement, which is reproduced as under : -

*“That I undertake to vacate the demised premises upto 15.03.2017 at my own and will hand over the vacant possession thereof to respondent Jugal Kishore. I further undertake that during this period I will not cause any*

*inconvenience to the respondent. I will be bound by this undertaking given today in the Court and will be liable to face the consequences for violation thereof. My appeal may be dismissed as withdrawn accordingly.”*

3. In view of the aforesaid statements made by the parties, the present appeal is hereby dismissed as withdrawn. As per the undertaking given by appellant Ashwani Kumar today in the Court, he will hand-over the vacant possession of the demised premises to respondent Jugal Kishore upto 15.03.2017 at his own. During this period, he will not cause any inconvenience to the respondent. He will be bound by his undertaking today given in the Court and will be liable to face the consequences for violation thereof.

4. The Registry is directed to disburse the amount of ₹25,000/- deposited by the appellant, to the respondent as per rules.

5. Copy of this order be supplied to learned counsel for the respondent under the signatures of the Bench Secretary of this Court.

**23.12.2016**

*sunil yadav*

**( DARSHAN SINGH )  
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No