

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

**Civil Revision No.1157 of 2017 (O&M)
Date of Decision: 07.11.2017**

Subash Chander

..... Petitioner

Versus

Charanpreet Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rishu Mahajan, Advocate for the petitioner/tenant.

Mrs. G.K.Mann, Advocate for the respondent/landlord.

JASWANT SINGH, J. (ORAL)

CM No.3437-CII of 2017

Prayer in the present application is for condonation of 76 days' delay in filing the present revision.

Upon notice, learned Counsel for the non-applicant/respondent has no objection to the same.

For the reasons recorded in the application, duly supported by an affidavit of the applicant/petitioner, the same is allowed. Delay of 76 days in filing the present revision is condoned.

MAIN CASE

The tenant is in revision directed against the concurrent findings recorded by both the Authorities below, whereby he has been ordered to be evicted from the demised shop (fully detailed in the eviction petition), on the ground of personal necessity of the landlord, vide order dated 10.05.2016, passed by learned Rent Controller, Amritsar; and the findings thereof duly affirmed by learned Appellate Authority, Amritsar, vide order dated 12.08.2016.

Upon notice, the respondent/landlord has put in appearance through his Counsel.

It is agreed between the parties that in case the petitioner/tenant withdraws the present revision, the landlord would have no objection if time till 31.03.2018 is granted to the petitioner/tenant to relocate subject to clearance of all arrears of rent along with electricity/water charges etc. and payment of future rent by the 10th of each calendar month.

In view of the above, the present civil revision is dismissed as withdrawn, however, the petitioner/tenant is granted time to hand over actual physical vacant possession of the demised shop to the landlord by 31.03.2018. The tenant shall file an undertaking before the Court of learned Rent Controller concerned by 30.11.2017 stating that he has cleared all the arrears of rent payable till November, 2017, as also paid all the outstanding electricity bills/water charges etc. The undertaking shall also state that he shall, over and above, pay the future rent in advance at the admitted rent by 10th of each calendar month for the aforesaid period granted to the tenant to relocate.

Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek his eviction forthwith with police help, if necessary without recourse to any other remedy besides the petitioner/tenant making himself liable in contempt proceedings.

Since the main petition stands dismissed as withdrawn, the pending applications, if any, shall also stand disposed of.

November 07, 2017
Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>