

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

255

CR No.1560 of 2017

Date of decision: 19.05.2017

Sadda Ram

....Petitioner

Versus

Kulvinder Kajal

...Respondent

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Dhiraj Chawla, Advocate, for the petitioner.

Mr.Namit Gautam, Advocate, for the respondent.

G.S. SANDHAWALIA, J. (Oral)

Notice of motion had been issued on 06.03.2017, on account of statement of counsel for the petitioner that the tenant-petitioner was willing to vacate the premises in question provided he is given time to file the necessary affidavit that he would vacate the shop by 31.12.2018. It was also noticed that he had been held entitled for recovery of Rs.1,79,080/- as excess payment of rent tendered before the authorities below and therefore, no interest had also been ordered.

Mr.Gautam had put in appearance on 03.05.2017 on behalf of the respondent and submitted that the landlord will refund the amount provided that the petitioner undertakes to vacate the premises by 31.12.2017.

Counsels have been further able to sort-out the issue by taking the consent of their clients and accordingly, a demand draft of Rs.1,34,280/- in favour of the petitioner-tenant has now been paid by the respondent-landlord, which figure has been arrived at by reducing the amount of Rs.44,800/- on account of the rent for 56 months, from 01.05.2013 to 31.05.2017 @ Rs.800/- per month.

It has been further agreed *inter se* that the tenant shall vacate the premises by 30.06.2018 and since the rent has already been adjusted till December, 2017, he would continue paying the rent @ Rs.800/-, for the 6 months extra, by the 7th day of each month.

Accordingly, in the above terms, the present revision petition is disposed of, by binding down the parties to the said terms. It is made clear that if there is any violation, as such, by the petitioner-tenant, it will be open to the respondent-landlord to seek possession, immediately, from the Rent Controller, Ludhiana.

19.05.2017

Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No