

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No. 1656 of 2017 (O & M)

Date of decision: 22.05.2017

Parveen Goyal

....Petitioner(s)

Versus

Jatinder Singh Dhiman

...Respondent(s)

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

Present: Mr. Arihant Goyal, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Counsel for the petitioner has filed an application for placing on record the affidavit of the petitioner, whereby, he has undertaken to vacate and hand over the possession of the premises to the respondent-landlord by 01.05.2018. It has been further undertaken that he will clear all the arrears of rent by 15.07.2017 and will further continue paying the rent on the 7th of each month. The said affidavit has been filed in pursuance of the order dated 10.05.2017 which reads thus:-

“Ejectment has been ordered on the ground of bona fide requirement of the respondent, who is an Ex-Serviceman and requires the premises in question for running coaching classes in the shop. It has been recorded that the other accommodation, as such, was with different tenants and the Appellate Authority has come to the conclusion that the ingredients of Section 13(3)(a)(i) of the East Punjab Urban Rent Restriction Act, 1949, have been complied with. It is not disputed that the respondent belongs to Ferozepur and after retirement, he wants to shift to his native place. The

orders, as such, do not seem to suffer from any infirmity which would warrant interference under revisional jurisdiction.

Faced with this situation, counsel for the petitioner, on instructions from the petitioner, who is present in Court, submits that he may be given some time to re-locate, since he is in the business of supply of stationary.

The request is genuine. Accordingly, let necessary undertaking be furnished that the premises will be vacated and possession shall be handed over to the respondent by 01.05.2018, the petitioner shall clear the arrears of rent by 15.07.2017 and shall continue paying the rent on the 7th day of each month.

List on 22.05.2017, for the said purpose.”

Accordingly, the said affidavit is taken on record and the present revision petition is disposed of by binding down the petitioner with the undertaking given. It is made clear that in case there is any violation of the above said undertaking, it will be open to the respondent-landlord to seek possession through the Rent Controller immediately by seeking police help also, if required.

22.05.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No