

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

Civil Revision No.1750 of 2017

Date of decision: 15.03.2017

ACE Health Ways Pvt. Ltd.

...Petitioner

Versus

Naresh Kumar

...Respondent

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

Present: None for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Case has been called thrice since morning.

None has put in appearance on behalf of the petitioner.

On 10.3.2017, the following order was passed:-

“Counsel for the petitioner prays for some time to seek instructions whether to get the benefit of equity, the petitioner-tenant is willing to clear some of the arrears.”

The petitioner-tenant is aggrieved against the order dated 24.1.2017 (Annexure P/4) whereby one months' time has been granted to hand over the vacant possession of the premises in question to the decree holder.

It is pertinent to notice that eviction order was passed on the ground of non payment of provisional rent assessed on 9.8.2016 which was to the tune of ₹ 46,14,219.55 paise and the case was adjourned to 7.10.2016 for payment of provisional rent. The petitioner failed to pay the rent on the said date. Resultantly, the ejectment application was allowed and direction was issued to hand over the vacant possession of the premises in question within a period of two months. The period has thus expired in December,

2016. Another one month's time was given by the Executing Court to hand over the vacant possession. Thus merely because the petitioner has installed medical equipment in the premises in question, he would not be entitled further time to vacate the premises in question especially since arrears of rent are not being cleared.

Accordingly, the present revision petition is dismissed for non-prosecution.

March 15, 2017

Pka

(G.S.SANDHAWALIA)

Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No