

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

**Civil Revision No.1897 of 2017 (O&M)
Decided on : 23.03.2017**

Vinod Kumar

... Petitioner

Versus

Mangal Sain Grover

... Respondent

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

Present : Mr. P.S. Khurana, Advocate
for the petitioner.

Mr. Nitin Thatai, Advocate
for the respondent.

G.S. Sandhawalia, J. (Oral)

CM-6388-CII-2017

The present application has been filed for placing on record affidavit of the petitioner-tenant, whereby he has undertaken to vacate the premises.

Notice of the application to Mr. Nitin Thatai, Advocate for the respondent.

The application is allowed. The affidavit is taken on record. Office to tag the same at the appropriate place.

CM stands disposed of.

Main case

As per the abovesaid affidavit, the petitioner-tenant has undertaken to vacate the demised shop and hand over the peaceful possession of the same, which is the part of B-VII-460, Sadar Bazar, Chhatta Nallah Street, Mohalla Mulla Shakoar, Ludhiana to the respondent-landlord by 30.06.2018. He has also undertaken to pay the mesne profits @

₹14,000/- per month which has been assessed by the Appellate Authority by 7th of each month. It has been deposed that the arrears have been cleared till March, 2017.

On 16.03.2017, the following order was passed:-

“After arguing for considerable time and faced with the situation that the requirement is for bonafide necessity for expanding the office of the landlord, Mr. Khurana has taken the instructions that his client is willing to file an affidavit that he would vacate the premises by 30.06.2018.

Mr. Manu Loona, Advocate has filed power of attorney on behalf of the respondent and submits that he has no objection with the same. He further submits that the tenant should file an affidavit providing that the mesne profits as fixed by the Appellate Authority are cleared and regularly paid by 7th of each month.

Counsel for the petitioner prays for an adjournment to file necessary affidavit incorporating necessary undertaking.

Adjourned to 23.03.2017.

In view of the consensus arrived at, in the meantime, the petitioner shall not be dispossessed till the next date of hearing.”

Accordingly, keeping in view the above, the present revision petition is disposed of, in terms of the undertaking given by the petitioner-tenant, binding the parties to the same.

It is made clear that if there is any violation of the abovesaid undertaking, the landlord will be entitled for the possession and the Rent Controller will give police help also, if required.

With the abovesaid observations, the present revision is disposed of.

MARCH 23, 2017

Naveen

Whether speaking/reasoned:

Whether Reportable:

**(G.S. SANDHAWALIA)
JUDGE**

Yes/No

Yes/No