

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

CR No.1986 of 2017 (O&M)
Date of decision: 17.05.2017

Kishan Chand

-----Petitioner (s)

Vs.

Jhangi Ram

-----Respondent (s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Ashish Yadav, Advocate
for the petitioner.

Mr. Gurinder Pal Singh, Advocate
for the respondent.

HARI PAL VERMA, J. (Oral)

Petitioner-Kishan Chand, who is tenant on the first floor portion of Chaubara in House Tax No.2406/9, City Rewari of the respondent-landlord, has filed the present petition against order dated 27.1.2017 passed by Appellate Authority, Rewari, whereby his appeal against the judgment dated 21.5.2011 passed by the Rent Controller, Rewari, decreeing the eviction petition filed by the respondent-landlord, has been dismissed.

After arguing for some time, learned counsel for the petitioner does not press the present revision petition, however, he submits that keeping in view the fact that the petitioner is a tenant in the premises in question since 22.1.1973, he be granted some reasonable

time to vacate the premises i.e. on or before 30.9.2017. He undertakes that the petitioner shall continue to pay the admitted rent to the landlord by 7th of each calendar month and shall clear the arrears, if any.

Taking into consideration the undertaking made by learned counsel for the petitioner, the present revision petition is disposed of and the petitioner is allowed to vacate the premises in question on or before 30.9.2017. However, the petitioner shall file an undertaking before the Rent Controller within 15 days from today that he shall hand over the vacant physical possession of the premises in question along with all fixtures, if any, attached thereto to the respondent-landlord on or before 30.9.2017. He shall continue to pay the admitted rent to the respondent-landlord by 7th of each calendar month and shall also clear the arrears of rent, if any.

However, it is made clear that in case the petitioner fails to submit his undertaking, as aforesaid or commits default in making payment of rent or fails to clear the arrears, if any, the present petition shall be deemed to have been dismissed.

May 17, 2017
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No