

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

116

CR No.2171 of 2017 (O&M)

Date of decision: 30.05.2017

Balwinder Singh

....Petitioner

Versus

Amritpal Singh

...Respondent

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

Present: Mr.Sunil Agnihotri, Advocate, for the petitioner.

Mr.S.K.Sharma, Advocate, for the respondent.

G.S. SANDHAWALIA, J. (Oral)

After arguing for some time and keeping in view the concurrent findings which have been recorded by the Courts below, counsel for the petitioner restricts his relief claimed, to the extent that the petitioner may be given some time to re-locate, since he is using the premises for his livelihood, which is a job of a painter.

Notice of motion.

Mr.Sharma has filed power of attorney and accepts notice on behalf of the respondent.

Affidavit has been filed by the petitioner, who is present in Court, with the undertaking, that he would vacate the premises by 30.06.2018 and that he would deposit all the arrears of rent before the concerned Court.

In view of the above undertaking given, this Court is of the opinion that since the tenancy is of the year 2001 and the respondent is a subsequent purchaser having purchased the shop in the year 2004, the latitude which the petitioner is praying for is well justified.

Accordingly, the present revision petition is disposed of, by binding down the petitioner to the terms of the undertaking. It is made clear that if there is any violation of the terms of the above undertaking, the respondent shall be entitled for possession, through the Rent Controller, Ludhiana, who will provide police help, if so required.

30.05.2017

sailesh

Whether speaking/reasoned:

Whether Reportable:

Yes/No

Yes/No

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