

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 243 (2)

Case No. : C. R. No. 2676 of 2016 (O&M)

Date of Decision : July 31, 2017

Kartar Kaur and others		Petitioners
vs.		
Des Deepak (now deceased through LRs) and others		Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

* * *

Present : Mr. L. S. Sidhu, Advocate
for the petitioners.

Mr. K. R. Dhawan, Advocate
for the respondents.

* * *

DEEPAK SIBAL, J. :

The respondent-landlords had filed a petition under Section 13 of the Punjab Urban Rent Restriction Act, 1949 seeking eviction of the petitioner-tenants from the tenanted premises situated in the Main Bazar, Dharamkot, Moga. The Rent Controller, Moga, vide order dated 27.02.2015, directed the petitioners' eviction from the tenanted premises. The above order passed by the Rent Controller, Moga was challenged by the petitioners by filing an appeal before the Appellate Authority, Moga, which, through order dated 28.01.2016, was dismissed. It is in these circumstances that the petitioners have approached this Court through the present petition.

On the earlier occasion, when the matter had come up for

hearing before this Court on 17.07.2017, it has been stated on behalf of the petitioners that they do not challenge the impugned orders on merits. However, it was prayed that some reasonable time be given to them to vacate the tenanted premises.

On the above prayer, notice of the petition was issued to respondents.

Counsel for the respondent-landlords submits that subject to the petitioners filing an affidavit in this Court, they may be granted time up to 27.02.2018 to vacate the premises, of course, subject to clearing of arrears of rent, as also payment of future rent.

The required affidavit dated 31.07.2017, on behalf of the petitioners, has been filed in the Court, through which it has been undertaken that the tenanted premises would be vacated on or before 27.02.2018; all arrears of rent would be cleared and that the future monthly rent shall be duly paid. The aforesaid affidavit is ordered to be taken on record as Annexure **Mark-A**.

In view of the above, the petitioners are permitted to occupy the tenanted premises till 27.02.2018, of course subject to payment of arrears of rent, if any, as also rent for the period that the petitioners continue to occupy the tenanted premises. Such rent shall be paid in advance by the 7th of each month.

It is further directed that the petitioners shall remain bound by the terms contained in the affidavit filed by them in Court today (Annexure **Mark-A**) and in the event of any violation of the terms of the affidavit, the

respondent-landlords would be entitled to seek the petitioners' eviction from the tenanted premises forthwith with police help as also to initiate against the petitioners proceedings under the Contempt of Courts Act, 1971.

Subject to the above terms, the petition stands dismissed.

(DEEPAK SIBAL)
JUDGE

July 31, 2017
monika

<i>Whether speaking/reasoned ?</i>	<i>Yes.</i>
<i>Whether reportable ?</i>	<i>No.</i>