

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

**C.M. No. 9191-CII of 2017 in/and
C.R. No. 2788 of 2017 (O & M)
Date of decision: 28.04.2017**

Sudarshan Kumar

....Petitioner(s)

Versus

Nand Kishore Mehra and another

...Respondent(s)

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

Present: Mr. S.S. Majithia, Advocate,
for the applicant-petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner-tenant challenges the order of eviction passed by the Rent Controller Amritsar dated 26.02.2016 and which has been upheld by the Appellate Authority on 03.03.2017.

On 21.04.2017, the following was noticed by this Court.

“It transpires that eviction has been ordered on the ground of bona fide requirement for the need of the landlord and his son. It has come on record that the son had appeared and deposed that he is running a rehri in front of the shop in question and prima facie, the ejectment which has been ordered by both the Courts below does not suffer from any infirmity.

Counsel prays for some time.

Adjourned to 28.04.2017.”

In pursuance of the above, the C.M. No. 9191-CII of 2017 has been filed wherein, the affidavit of the petitioner has been placed on record whereby, he has undertaken that he would vacate the shop after a period of one year and he would keep on paying the rent as earlier for the abovesaid period of one year.

The said affidavit is taken on record.

C.M. No. 9191-CII of 2017 stands allowed.

Keeping in view the above, the present revision petition is disposed of by binding down the petitioner-tenant with the terms of the affidavit that he would hand over the vacant possession to the respondent-landlord by 01.05.2018. He will also clear all the arrears of rent by 31.05.2017 and keep on paying the rent by the 7th of each month. Any violation of the above terms and conditions would entitle the landlord to get possession of the shop in question through the Rent Controller, who will provide police help, if so required.

28.04.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No