

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

Civil Revision No.3488 of 2017(O&M)

Date of decision: 24.05.2017

Labh Singh and another

...Petitioners

Versus

Jyoti Alexes and another

...Respondents

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

Present: Mr. Vivek Aggarwal, Advocate for the petitioners.

Mr. Navin Bawa, Advocate for the respondents.

G.S.SANDHAWALIA, J. (Oral)

Affidavits of both the petitioners have been filed whereby they have undertaken to vacate the shop in question by 30.4.2018 and further undertaken to pay the arrears by 31.7.2017. It has been further undertaken that rent would be paid regularly by 7th of each.

The said affidavits are taken on record.

On 15.5.2017, the following order was passed:-

“Eviction has been ordered on the ground of bona fide requirement of respondent no. 1. The Courts have found that she is coowner of the property alongwith her brother and she is a divorcee staying with her father-respondent no. 2. The need has been set up on account of setting up of a beauty parlour. The factum of relationship of landlord-tenant has been admitted by the petitioners themselves on account of the fact that they were in occupation of one shop and were also given possession of adjoining shop by consolidating both, which is now subject matter of eviction. In such circumstances, the findings which have been recorded prima facie do not suffer from any infirmity as such.

Faced with this situation, counsel for the petitioners submits that since they are doing cloth business in the

premises since 1989, it will take some time for relocation and adequate time be granted to vacate the premises.

At this stage, Mr. Naveen Bawa, Advocate has put in appearance on behalf of the respondents and submits that he does not have any objection as such to the said proposal.

Accordingly, let necessary affidavit be filed that the premises shall be vacated by 30.04.2018 and the arrears of rent shall be cleared by 31.07.2017 and the rent will be regularly deposited by the 7th of each month.

To come up for the said purpose on 24.05.2017.”

Accordingly, the petitioners are bound by their undertaking.

The arrears of rent shall be paid by the petitioners-tenants by 31.7.2017 and they shall continue to pay rent/mesne profits for the coming months by 7th of each month. In case the petitioners-tenants do not comply with the undertaking, it will be open to the respondents-landlords to take the possession of the premises in question forthwith and the Rent Controller concerned shall ensure that possession is delivered to the respondents-landlords even if police help is required.

With the aforesaid observations, the present revision petition is disposed off.

May 24, 2017
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No