

CR 3506/2017

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

CR 3506/2017

Date of decision:10.11.2017

Sanjeev Kumar

.....Petitioner

v.

Krishan Chander and another

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Satbir Rathore,Advocate for the petitioner/tenant

Mr.Sanjiv Pandit,Advocate for contesting respondent
no.1-Landlord.

None for proforma respondent no.2.

Jaswant Singh,J,(Oral).

Petitioner/tenant is in revision directed against the concurrent judgments passed by the Authorities below,whereby the tenant was evicted from the demised shop measuring 348 square feet,situated at Talab Road, Dasuya,Distt.Hoshiarpur on the ground of “personal necessity” of the landlord (respondent no.1 herein) by learned Rent Controller,Dasuya vide judgment dated 14.01.2016 duly affirmed in appeal vide order dated 18.4.2017 passed by learned Appellate Authority,Hoshiarpur.

On the last date of hearing i.e. 9.11.2017, after having argued at length and having failed to convince the Court on merits, the counsel for the petitioner/tenant had restricted his prayer for grant of some reasonable time to vacate the demised shop. The case was accordingly listed for today for seeking instruction in this regard.

CR 3506/2017

At the time of hearing today, learned counsel for the petitioner/tenant submits that keeping in view the 20 years old commercial tenancy, one year's time would be appropriate for the petitioner/tenant to vacate the demised premises.

The prayer made by the learned counsel for the petitioner/tenant, when put forth to the counsel for the respondent/landlord is not opposed by the latter.

In view of the above, this petition is dismissed as not pressed, however, one year's time commencing w.e.f. 01.12.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 30.11.2017 before the Court of learned Rent Controller, Dasuya, that he shall hand over actual physical vacant possession of the demised premises to the respondents/ landlords by 30.11.2018. The undertaking shall also state that the entire arrears of mesne profits at the rate of Rs.4000/- per month have been cleared till 30.11.2017 and petitioner shall pay future mesne profits by 7th of each calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek his eviction forthwith with police help, if necessary without recourse to any other remedy besides the petitioner-tenant making himself liable in contempt proceedings.

10.11.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No