

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

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CR No.4064 of 2014 (O&M)

Date of decision: 22.03.2017

Inderpreet Singh

...Petitioner

Versus

V.B.Gupta

...Respondent

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

Present: Mr.Veneet Sharma, Advocate, for the petitioner.

Mr.Anil Chawla, Advocate, for the respondent.

G.S. SANDHAWALIA, J. (Oral)

The present revision petition, filed by the tenant, is directed against the orders passed by both the Courts below, i.e., the Rent Controller and the Appellate Authority, Amritsar, ordering ejectment from the ground floor, on the ground of *bona fide* requirement of the landlord, who is residing on the first floor.

The said findings, as such, which have been recorded, are well justified, on account of the fact that it is settled principle that the tenant, as such, cannot question the entitlement of the landlord of his requirement and personal need. It is categorical case of the respondent-landlord that due to the old age, it is not possible for him to go to the first floor. Specific averments have been made regarding the requirement for the family members, for additional accommodation. In such circumstances, the findings recorded vide orders dated 02.07.2013 and 28.01.2014, of the Rent Controller and the Appellate Authority, Amritsar, respectively, cannot be faulted.

Faced with this situation, Mr.Sharma has filed the necessary affidavit dated 22.03.2017 that the petitioner-tenant shall vacate the premises by 31.03.2018. The said affidavit is taken on record. Office to append the same at necessary place.

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The respondent-landlord, who is also present in Court, accepts the said undertaking, as such. In the reply filed to CM-3909-CII-2017, the petitioner-tenant has also further undertaken that he shall continue paying the rent on or before the 7th day of each month and shall also clear the arrears of rent, within 20 days. Accordingly, the petitioner-tenant is bound-down by the said undertaking. It has further been agreed between the parties that the rent will be paid by way of cheque/ deposit in the bank account of the landlord, details of which would be supplied to him by counsel for the respondent-landlord. The deposit be made by the 7th day of each month and the arrears of rent shall be cleared by 30.04.2017. It is made clear that in case of any violation of the above undertaking, the respondent-landlord will be entitled for taking possession of the premises, through the Rent Controller, who would provide police help.

With the above observations, the present revision petition stands disposed of.

22.03.2017
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*