

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

CR No.3995 of 2017(O&M)

Date of Decision:-10.07.2017

Jaswinder Singh.

.....Petitioner.

Versus

Tripat Kaur.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Gaurav Hooda, Advocate for the Petitioner.

JASWANT SINGH, J. (ORAL)

CM No.14109-CII of 2017 has been filed under Section 151 CPC for placing on record affidavit of the petitioner in terms of order dated 01.06.2017.

For the reasons stated in the application, the same is allowed and affidavit dated 06.07.2017 of the petitioner is taken on record.

Registry to place the same at appropriate place and paginate the paper book accordingly.

CR No.3995 of 2017

Petitioner(tenant) is in revision under Section 15(5) of the East Punjab Urban Rent Restriction Act, 1949 against the concurrent findings returned by both the courts below whereby the rent petition filed by the respondent (landlord) was allowed by learned Rent Controller, Patiala vide order dated 01.03.2017 and the findings thereof were affirmed by learned

Appellate Authority, Patiala vide its judgment dated 20.05.2017 and petitioner(tenant) was directed to hand over vacant possession of the demised premises i.e. shop no.1, Part of Property No.1000, situated near Gurudwara Kashmiran Tripuri Town, Patiala as fully detailed in the petition to the respondents. Petitioner (tenant) has been evicted on the ground of bonafide need of respondent(landlady).

It is admitted fact that petitioner was a tenant in the aforesaid demised premises since the year 1996 running the business of repair of mobiles.

Learned Counsel for the petitioner submits that in the light of the proceedings before this Court on 01.06.2017 wherein the Court was not inclined to interfere on merits, an affidavit has been filed on behalf of the petitioner(tenant) seeking grant of time to vacate the premises. He thus submits that he would not press this revision petition subject to grant of time as prayed in the affidavit dated 06.07.2017 submitted today way of CM in view of the long tenancy to make alternative arrangement to shift from the demised premises.

In view of the aforesaid submission, this petition is dismissed as not pressed, however, time commencing w.e.f. today i.e. 10.07.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 24.07.2017 before the Court of learned Rent Controller, Patiala that he shall hand over actual physical vacant possession of the demised premises to the respondent (landlady) by 31.03.2019. The undertaking shall also state that the entire arrears of rent, if any, at the rate of Rs.2100/- shall be cleared and that he shall continue to pay the rent in advance by 7th of each calendar month at the same rate till

31.03.2019.

Needless to say that any violation of the terms shall entitle the landlords 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.

(JASWANT SINGH)
JUDGE

July 10, 2017
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>