

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

CR No.4178 of 2017(O&M)

Date of Decision:-03.08.2017

Monu & Anr.

.....Petitioners.

Versus

Sardara Singh.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sukhjot Singh, Advocate for the Petitioners.

JASWANT SINGH, J. (ORAL)

Petitioners (tenants) are in revision against the concurrent findings recorded by the Courts below whereby eviction petition filed by the respondent/landlord was allowed by the Rent Controller, Jalandhar vide order dated 17.11.2016 and the findings affirmed in appeal by the learned Appellate Authority, Jalandhar vide order dated 23.05.2017 whereby the tenants have been evicted from the demised shop situated at outside property no.NA 93, New Baldev Nagar, Jalandhar on the ground of personal necessity.

After arguing at length and having failed to convince the Court on merits, the learned counsel states that he would not press the instant petition provided some reasonable time is granted.

It is averred that the petitioners run a *Karyana* shop in the demised premises for the last 20 years. He is also having two minor children and widowed mother to support. He is paying rent at the rate of Rs.2250/- per month. Accordingly, prayer is made to grant 1-1/2 years (18 months) time to the petitioners to shift their business to some other place and vacate the premises. It is further submitted that besides clearing the

arrears of rent at the admitted rate of Rs.2250/-, petitioner is also willing to pay future rent at the consolidated rate of Rs.3,000/- per month for the period of 18 months, so granted by this Court.

Prayer is reasonable and hence accepted.

In view of nature of the order being passed, it is not felt necessary to issue notice to the respondent/landlord so as to avoid delay in the matter and to save him from unnecessary litigation expenses.

In view of the above, this petition is dismissed as not pressed, however, 1-1/2 years (18 months) time commencing w.e.f. 01.09.2017 is granted to the petitioners-tenants for making alternative arrangement subject to their furnishing an undertaking on or before 21.08.2017 before the Court of learned Rent Controller, Jalandhar, that they shall hand over actual physical vacant possession of the demised premises to the respondent/landlord by 28.02.2019. The undertaking shall also state that the entire arrears of rent, if any, at the admitted rate of Rs.2250/- per month have been cleared till 01.08.2017 and petitioner shall continue to pay future rent at the consolidated rate of Rs.3,000/- per month w.e.f. 01.09.2017 to 28.02.2019, by 7th of each calendar month.

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

(JASWANT SINGH)
JUDGE

August 03, 2017

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