

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

CR No.4262 of 2017(O&M)

Date of Decision:-05.07.2017

Sunder Lal.

.....Petitioner.

Versus

Kasumbra Marya & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Divanshu Jain, Advocate for the Petitioner.

JASWANT SINGH, J. (ORAL)

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 respondents(landlords) was allowed by learned Rent Controller, Patiala vide its order dated 07.04.2016 and the findings thereof were affirmed by learned Appellate Authority, Patiala vide its judgment dated 03.05.2017 and petitioner(tenant) was directed to hand over vacant possession of the demised premises i.e. Shop in dispute to the respondents.

It is averred that the landlord has concealed that there was a vacant premises on the first floor above the shop available to him for the purpose of shifting his office/business.

After arguing for sometime, faced with the situation that the court is not inclined to accept the petition, learned Counsel for the petitioner

(tenant) submits that he would not press this revision petition provided some reasonable time is granted to make alternative arrangement to shift from the demised premises.

In view of the aforesaid submission, this petition is dismissed as not pressed, however, two years time commencing w.e.f. 01.08.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 27.07.2017 before the Court of learned Rent Controller, Patiala, that he shall hand over actual physical vacant possession of the demised premises to the respondent landlord by 31.07.2019. The undertaking shall also state that the entire arrears of rent, if any, at the previous rate shall be cleared and that he shall continue to pay the rent in advance by 7th of each calendar month at the rate of Rs.1400/- per month till 31.07.2019.

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 05, 2017
Vinay

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