

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

CR No.4971 of 2017

Date of Order: 02.08.2017

Chetan Sarup

....Petitioner

Versus

Jagdish Chand

....Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Krishan Singh, Advocate for the petitioner.

JASWANT SINGH, J (ORAL)

Tenant is in civil revision against the concurrent findings recorded by the learned Rent Controller, Yamuna Nagar vide judgment dated 28.3.2014 duly affirmed by the learned Appellate Authority, Yamuna Nagar vide judgment dated 17.4.2017 whereby he has been ordered to be evicted from the demised shop on the ground of personal necessity of the respondent-landlord.

It is averred that the tenancy of the petitioner in the demised shop is since 01.06.1982 and the last admitted rate of rent is Rs.965/- per month on the date of filing of the eviction petition i.e 10.3.2011.

After arguing for sometime, faced with the situation that the court is not inclined to accept the petition, learned Counsel for the petitioner-tenant prays for grant of some reasonable time to make alternative arrangement subject to determination of

appropriate rent. He, thus, submits that if time is granted, the petition be dismissed as withdrawn.

Prayer is reasonable and thus accepted.

In view of the aforesaid, this petition is dismissed as withdrawn, however, one year time commencing w.e.f. 01.08.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an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 17.8.2017 before the Court of learned Rent Controller, Yamuna Nagar, that he shall hand over actual physical vacant possession of the demised premises to the respondent landlord by 31.07.2018. The undertaking shall also state that the entire arrears of rent, if any, payable till 31.7.2017 at the admitted rate of Rs.965/- per month have been cleared and that he shall continue to pay the future rent at the rate of Rs.3000/- per month w.e.f 01.08.2017 till 31.7.2018, in advance by 7th of each calendar month.

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

Dismissed as withdrawn in the above terms.

August 02, 2017
manoj

(JASWANT SINGH)
JUDGE