

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

Sr. No.108

C.R. No.5164 of 2017 (O&M)

Date of decision: 13.10.2017

Ajit Kapoor

....Petitioner

versus

Veeran Bai

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Mr. Sanjeev Pandit, Advocate
for the caveator/respondent.

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DEEPAK SIBAL, J. (Oral)

The respondent-landlord had filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 seeking therein the eviction of the petitioner-tenant from H.No.118 as shown by the words ABCD in red colour in the site plan attached to the eviction petition (for short the 'tenanted premises'). The Rent Controller, Ferozepur, through order dated 10.10.2016, directed the petitioner's eviction from the tenanted premises. The above order passed by the Rent Controller, Ferozepur, was challenged by the petitioner by way of an appeal before the Appellate Authority, Ferozepur, which through order dated 26.05.2017 was dismissed.

It is in these circumstances that the petitioner has approached this Court through the present petition.

On 29.09.2017, it has been stated on behalf of the learned counsel for the petitioner that he did not intend to challenge the impugned orders on merits. However, it was prayed that some reasonable time be given to the petitioner to vacate the tenanted premises to make alternative arrangements.

Learned counsel for the petitioner has filed in Court today an affidavit of the petitioner dated 12.10.2017 through which the petitioner undertakes to vacate the tenanted premises within three months from the date of the affidavit. The petitioner further undertakes to clear all arrears of rent payable from 01.12.2014 till the date he vacates the tenanted premises. The afore-referred affidavit is ordered to be taken on record as Annexure Mark 'A'.

Learned counsel for the respondent accepts the terms of the affidavit.

In view of the above, the petitioner is permitted to occupy the tenanted premises for a period of three months from 12.10.2017, of course, subject to clearing of arrears of rent within one month from today as also payment of advance rent by 7th of each month for which he occupies the tenanted premises.

It is further directed that the petitioner shall remain bound by the affidavit filed by him in Court today (Annexure mark 'A') and any violation of the same would entitle the respondent to not only seek forthwith possession of the tenanted premises but also to initiate against the petitioner proceedings under the Contempt of Courts Act, 1971.

The petition is dismissed in the above terms.

(DEEPAK SIBAL)
JUDGE

October 13, 2017

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No