

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.6001 of 2017 (O&M)

Date of Decision: 08.09.2017

M/s M.S. Goods Career

... Petitioner

Versus

Rajiv Bhatia

... Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Deepa Jain, Advocate,
for the petitioner.

Mr. Gorav Kathuria, Advocate,
for the caveator/respondent.

RAJIV NARAIN RAINA, J.(Oral)

1. After arguing for some time and finding himself unable to convince the Court for interference in this case or for grant of an interim stay, the learned counsel on instructions from her client, prepared for any eventuality, states that the petitioner has been running his business in the demised premises for the long time and has a name in the market and would need some time to make alternative arrangements for carrying out his business in the event of eviction as has been ordered by the rent authorities.

2. I have heard Mr. Gorav Kathuria, appearing for the caveator-landlord.

3. After hearing both sides and looking to the circumstances of the case and the predicament that the petitioner would be faced with by sudden dislocation of business by an eviction order, the petitioner-tenant is granted

one year's time to vacate the premises and hand over its possession; provided he pays the agreed rent on the 10th day of every month and clear all his arrears by September 07, 2018 and hand over peaceful vacant possession of the demised premises to the landlord on or before the said date.

4. The petitioner would file an affidavit furnishing an undertaking before the Rent Controller in terms of this order within one month from today. In case of default and breach of undertaking not only would the tenant be (i) liable for contempt of the orders of this Court (ii) the landlord would also have the right to approach the Assistant Commissioner of Police, Faridabad for getting the demises premises vacated by force and for this end, an advance direction is issued to the Police authorities to offer all assistance for immediate vacation of the demised premises so that the landlord is not compelled to resort to protracted execution proceedings.

5. In the meanwhile, warrants of possession will be kept in abeyance by the execution Court till September 07, 2018.

6. Order dasti.

(RAJIV NARAIN RAINA)
JUDGE

08.09.2017
manju

Whether speaking/reasoned Yes

Whether reportable No