

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

CR 6024/2017(O&M)

Date of decision:21.09.2017

Tarun K Laul

.....Petitioner

v.

Ajaybir Singh and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.APS Shergill,Advocate for the petitioner/tenant

Mr.Akshay Mittal,Advocate for respondents/landlords

Jaswant Singh,J,(Oral).

Petitioner/tenant is in revision against the concurrent findings recorded by the Authorities below whereby eviction petition filed by the respondents/landlords was allowed by the Rent Controller,Chandigarh vide order dated 5.4.2016 and the findings affirmed in appeal by the Appellate Authority,Chandigarh vide order dated 14.8.2017 whereby the tenant has been evicted from the demised premises comprising entire ground floor of SCF No.8, Sector 10-D,Chandigarh 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 submitted that commercial tenancy is about 24 years old and petitioner is carrying out the boutique work from the demised premises and has created a good will over the years. Accordingly, prayer is made to grant reasonable time for the petitioner to shift his 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.40,000/- per month, petitioner is also willing to pay future rent at

the rate of Rs.45,000/- per month for the time so granted by this Court.

In response, learned counsel for the respondents/landlords including respondent no.1 Ajaybir Singh, who is present in Court graciously accept the offer and state that they have no objection if reasonable time is granted to the petitioner/tenant to vacate the demised premises.

In view of the above, this petition is dismissed as not pressed, however, 18 months time commencing w.e.f. 1.10.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 4.10.2017 before the Court of learned Rent Controller, Chandigarh, that he shall hand over actual physical vacant possession of the demised premises to the respondents/ landlords by 31.3.2019. The undertaking shall also state that the entire arrears of rent, if any, at the admitted rate of Rs.40,000/- per month have been cleared till 30.9.2017 and petitioner shall pay/deposit future rent @ Rs.45,000/- per month w.e.f. 1.10.2017 to 31.3.2019 by 10th of each calendar month. The respondents/landlords shall supply their Bank account details to the petitioner/tenant before 4.10.2017 to facilitate clearance of arrears of rent, if any, as also future rent directly in their Bank account.

Needless to say that any violation of the aforesaid 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.

21.09.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No