

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

CR 6112/2017(O&M)
Date of decision:19.09.2017

Deepak Kumar

.....Petitioner

v.

Rajni Verma

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Ms.Sonia G.Singh,Advocate for the petitioner/tenant

Jaswant Singh,J,(Oral).

Petitioner/tenant is in revision against concurrent findings recorded by both the Courts below,whereby he has been ordered to be evicted from the demised “shop” measuring 11x8 feet,part of property no. B-1/297,Mohalla Pandhsar,Nabha,Distt.Patiala by learned Rent Controller, Nabha vide order dated 22.11.2016 and findings affirmed in appeal by the learned Appellate Authority,Patiala vide order dated 3.8.2017 on the ground of personal necessity of the landlady.

After arguing at length and having failed to convince the Court on merits, the learned counsel states that she would not press the instant petition provided some reasonable time is granted. It is submitted that commercial tenancy is of the year 2005 and petitioner is carrying out the computer business from the demised “shop”. Accordingly, prayer is made to grant 6 months' 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.1200/- per month, petitioner is

also willing to pay future rent at the rate of Rs.1500/- per month for the the period of 6 months, so granted by this Court.

Prayer is reasonable and hence accepted.

In view of nature of the order being passed, it is not felt necessary to issue notice to the respondents/landlady so as to avoid delay in the matter and to save her from unnecessary litigation expenses.

In view of the above, this petition is dismissed as not pressed, however, six months time commencing w.e.f. 01.10.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 30.9.2017 before the Court of learned Rent Controller, Nabha, that he shall hand over actual physical vacant possession of the demised premises to the respondents/ landlady by 31.3.2018. The undertaking shall also state that the entire arrears of rent, if any, at the admitted rate of Rs.1200/- per month have been cleared till 30.9.2017 and petitioner shall pay future rent @ Rs.1500/- per month w.e.f. 1.10.2017 to 31.03.2018, by 10th of each calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlady 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.

19.09.2017
joshi

(Jaswant Singh)
Judge

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