IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CR No.6269 of 2017(O&M)

Date of Decision:-20.09.2017

Mohinder Singh.

.....Petitioner.

Versus

Mohinder Mohan.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Ajay Pal Singh, Advocate for the Petitioner (tenant).

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JASWANT SINGH, J.(ORAL)

Petitioner (tenant) is in revision against the concurrent findings recorded by the Authorities below whereby eviction petition filed by the respondent/landlord was allowed by the Rent Controller, Sangrur vide order dated 16.11.2015 and the findings affirmed in appeal by the learned Appellate Authority, Sangrur vide judgment dated 07.07.2017 whereby the petitioner (tenant) has been ordered to be evicted from the demised shop situated at Dhuri road opposite Guga Maari, Sangrur on the ground of personal necessity.

After arguing at length and having failed to convince the Court on merits, the learned counsel for the petitioner on instructions from petitioner who is present in Court wishes to withdraw the present petition provided some reasonable time is granted.

It is averred that the petitioner is running his business of

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photography from the demised shop since 1984.

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 respondent/landlord so as to avoid delay in the matter and to save him from unnecessary litigation expenses.

In view of the above, this petition is dismissed as withdrawn, however, 1-1/2 years (18 months) time commencing w.e.f. 01.10.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his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 04.10.2017 before the Court of learned Rent Controller, Sangrur, that he shall hand over actual physical vacant possession of the demised premises to the respondent/landlord by 31.03.2019. The undertaking shall also state that the entire arrears of rent, if any, at the admitted rate of Rs.3500/- per month have been cleared and petitioner shall continue to pay future rent at the aforesaid rate w.e.f. 01.10.2017 to 31.03.2019, by 10th of each calendar month.

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

(JASWANT SINGH)
JUDGE

September 20, 2017
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Whether speaking/reasoned	***Yes/No***
Whether Reportable	***Yes/No***

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