

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

**CR No.6641 of 2014 (O&M)
Date of Decision: November 09, 2017**

Rajinder Kumar Sharma

..... Petitioner

Versus

Prem Nath Dharmani

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Anand Kumar Bishnoi, Advocate
for the petitioner.

Mr. Vinod S. Bhardwaj, Advocate
for the respondent.

DEEPAK SIBAL J. (ORAL)

The respondent-landlord through a petition filed under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973, had sought the eviction of the petitioner from the ground floor of house No.1876, Basant Vihar, near Housing Board Colony, Kalka (for short 'the tenanted premises'). Such petition was dismissed by the Rent Controller, Kalka on 10.05.2013. On appeal filed by the respondent, through order dated 15.03.2014, the Appellate Authority, Panchkula reversed the afore-referred order passed by the Rent Controller, Kalka giving a cause to the petitioner to knock the doors of this Court through the present petition.

Today, when the matter came up for hearing, learned counsel for the petitioner submits that he has express instructions from the petitioner to state before this Court that in case the respondent-landlord permits him to occupy the tenanted premises for a further period of five months from today, of course subject to payment of a lump sum amount of Rs.1,70,000/- in six equal installments as arrears/future rent to be paid to

the respondent through the Executing Court, he would not press the present petition.

Learned counsel appearing on behalf of the respondent submits that he also has express instructions from the respondent to permit the petitioner to continue to occupying the tenanted premises only for a period of five months from today for which the respondent is willing to accept from the petitioner an amount of Rs.1,70,000/- in installments as arrears/future rent to be paid through the Executing Court.

As prayed for by learned counsel for the petitioner, the present petition is permitted to be withdrawn with a direction that both the parties shall abide by the afore statements suffered before this Court which are to the effect that the petitioner will be allowed to occupy the tenanted premises for a period of five months from today and in view of such occupation, he shall pay an amount of Rs.1,70,000/- to the respondent in six equal installments through the Executing Court. In case, the petitioner violates the above terms agreed by him/directions issued by this Court, the respondent would be entitled to take possession of the tenanted premises forthwith. Further, either party who violates the above terms/directions would make himself liable for proceedings under the Contempt of Court Act, 1971.

The petition stands dismissed as withdrawn in the above terms.

(DEEPAK SIBAL)
JUDGE

November 09, 2017

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No