

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 113

CR-6593-2017 (O&M)

Decided on : 15.11.2017

Satpal

..... Petitioner

VERSUS

Rajiv Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Arihant Jain, Advocate,for the petitioner.

None for the respondents.

. . .

DEEPAK SIBAL, J. (ORAL)

The respondents-landlords had filed a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 seeking therein the eviction of the petitioner-tenant from the tenanted premises as detailed in the head note of the petition. The Rent Controller, Hoshiarpur, through order dated 18.02.2016, directed the petitioner's eviction from the tenanted premises. The above order passed by the Rent Controller, Hoshiarpur, was challenged by the petitioner by way of an appeal before the Appellate Authority, Hoshiarpur, which through order dated 06.05.2017 was dismissed. It is in these circumstances that the petitioner has approached this Court through the present petition.

On 06.11.2017, after arguing the matter at length and having received no favourable response from the Bench, learned counsel for the petitioner submitted that he does not wish to pursue the present petition on merits. He however prayed for and was granted time to seek instructions from his client as to how much time would he need, of course on his own risk and responsibility, to vacate the tenanted premises to make alternative

arrangements.

On the next date of hearing i.e. on 09.11.2017, learned counsel for the petitioner submitted that he has received express instructions from the petitioner that subject to his clearing of all arrears of rent and payment of future rent for the period he occupies the tenanted premises, he shall vacate the same within eight months from 09.11.2017. He further stated that he would occupy the tenanted premises at his own risk and responsibility.

At that stage, Mr.Vaibhav Sehgal, Advocate, appeared on behalf of the respondents and submitted that he has instructions to state that subject to the petitioner filing his own affidavit in this regard before this Court, he may be permitted to occupy the tenanted premises for eight months or course subject to clearing the arrears of rent as also payment of future rent for the period he occupies the tenanted premise.

Learned counsel for the petitioner has filed in Court today an affidavit of the petitioner dated 10.11.2017 through which the petitioner has undertaken to vacate the tenanted premises within eight months from 09.11.2017. He has further undertaken that he shall pay the entire arrears of rent and would continue to pay the rent for further eight months. The afore-referred affidavit is ordered to be taken on record as Annexure Mark 'A'.

In view of the above, the petitioner is permitted to occupy the tenanted premises for a period of eight months from 09.11.2017, of course, subject to clearing of arrears of rent within one month from today as also payment of rent in advance by the 7th of each month for which he occupies the tenanted premises.

It is further directed that the petitioner shall remain bound by the affidavit filed by him in Court today (Annexure mark 'A') and any violation of

the same would entitle the respondents to not only seek forthwith possession of the tenanted premises but also to initiate against the petitioner proceedings under the Contempt of Courts Act, 1971.

The petition is dismissed as withdrawn in the above terms.

15.11.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No