

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

106

**CR No.7167 of 2016
Date of decision: 06.02.2017**

Amrit Singh & another

....Petitioners

Versus

Yash Pal Gulati

...Respondent

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Sandeep Bansal, Advocate, for the petitioners.

Mr.D.K.Bhatti, Advocate, for the respondent/caveator.

G.S. SANDHAWALIA, J. (Oral)

On 16.01.2017, the following order was passed:

“After arguing for sometime and keeping in view the fact that eviction is sought on the ground of bonafide requirement and respondent-landlord has retired from Education Department, counsel for the petitioner submits that he has taken necessary instructions that if he is given reasonable time, he will file necessary affidavit that he would vacate the premises.

Mr. Bhatti submits that he would have no objection if the premises are vacated by 31.03.2018, subject to clearance of rent and the fact that the petitioner shall continue to pay the rent by 7th of each month.

Let, necessary affidavit be filed on or before the next date of hearing i.e. 06.02.2017.

To be listed in the urgent list.”

Counsel for the petitioner, in compliance of the order dated 16.01.2017, has filed the affidavit of the petitioner stating therein that the petitioner agrees to vacate the premises by 31.03.2018 and deposit the arrears of rent @ Rs.125/- per month upto January, 2017. Further, copy of the receipt of the same has also been placed on record, to show that the rent has been deposited upto February, 2017.

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However, counsel for the respondent-caveator has brought to the notice of this Court that mesne profits have been fixed at Rs.2000/- per month, by the Appellate Authority.

Keeping in view the above, the arrears of the consolidated amount of the mesne profits shall be cleared from April, 2016 till 31.01.2017, by 31.03.2017 and for the forthcoming months, shall be deposited by the 7th of each month with the Rent Controller, Dasuya. The petitioner shall vacate the premises in question, as per the undertaking given. In case there is any violation of the terms and conditions of the above conditions, it will be open to the Rent Controller to get the premises vacated, even if police help is required.

With the above-said directions, the present revision petition stands disposed of.

February 6th, 2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*