

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

CR 7146/2017 (O&M)
Date of decision:12.10.2017

Manjit Singh

.....Petitioner

v.

Simranjit Singh

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Amit Arora,Advocate for the petitioner/tenant.

Jaswant Singh,J,(Oral).

Petitioner/tenant is in revision directed against the judgments passed by the Courts below whereby he has been ordered to be evicted from the demised Shop at Bohri Chowk,Near OBC Bank Amritsar Road,Tarn Taran on the grounds of “personal necessity” and “unfit and unsafe for human habitation” by learned Rent Controller,Tarn Taran vide judgment dated 15.11.2016 and findings affirmed in appeal by Appellate Authority,Tarn Taran vide judgment dated 6.9.2017.

After arguing at length and having failed to convince the Court on merits, the learned counsel states that he would not press the instant petition provided some reasonable time is granted. It is submitted that commercial tenancy is 25 years old. Accordingly, prayer is made to grant reasonable time to 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.275/- per month, petitioner is also willing to pay future rent at the rate of Rs.1000/- per month for the time 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/landlords so as to avoid delay

in the matter and to save them from unnecessary litigation expenses.

In view of the above, this petition is dismissed as not pressed, however, one year's time commencing w.e.f. 01.11.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 15.11.2017 before the Court of learned Rent Controller, Tarn Taran, that he shall hand over actual physical vacant possession of the demised premises to the respondents/ landlords by 31.10.2018. The undertaking shall also state that the entire arrears of rent and house tax, if any, at the admitted rate of Rs.275/- per month have been cleared till 31.10.2017 and petitioner shall pay future rent @ Rs.1000/- per month w.e.f. 1.11.2017 to 31.10.2018, by 10th of each calendar month. The undertaking shall also state that occupation of the demised premises, which has been declared as “unfit and unsafe for human habitation” would be at the sole risk and responsibility of the petitioner/tenant.

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

12.10.2017
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(Jaswant Singh)
Judge

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