

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

**Civil Revision 7190 of 2017 (O&M)
Date of decision: 17.11.2017**

Ramesh Malhotra

.....Petitioner

Versus

Baldev Kaur Khoral

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

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

Mr. Aditya Jain, Advocate for the respondent/landlady
(applicant in CM No.24514-CII of 2017).

JASWANT SINGH, J. (ORAL)

Petitioner/tenant is in revision against the concurrent findings recorded by both the Authorities below, whereby he has been ordered to be evicted, on the ground of personal necessity of the landlady, from the demised premises, comprising one Bedroom with attached Bath-cum-W.C., Verandah and Kitchen at the backside of House No.347, Sector 17, Faridabad, vide order dated 31.01.2017 and the findings affirmed in appeal by learned Appellate Authority, Faridabad, vide order dated 31.07.2017.

It is submitted that the tenants are an aged couple and occupying the aforesaid demised residential portion since 2012.

After arguing at length and having failed to convince the Court on merits, learned Counsel for the petitioner states that he would not press the instant petition provided one year's time w.e.f. 01.11.2017 is granted to the tenant to vacate the demised premises.

Prayer is reasonable and hence accepted.

In view of the above, this petition is dismissed as withdrawn, however, one year's time commencing w.e.f. 01.11.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing fresh undertaking on or before 30.11.2017 before the Court of learned Rent Controller/Executing Court, Faridabad, stating that he shall hand over actual physical vacant possession of the demised premises to the respondent/landlady by 31.10.2018. The undertaking shall also state that the entire arrears of rent, if any, at the admitted rate of Rs.2000/- per month have been cleared till October, 2017 and the petitioner shall pay future rent @ Rs.2500/- per month w.e.f. 01.11.2017 to 31.10.2018, by 10th of each calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlady to seek the eviction of the tenant forthwith with police help, if necessary without recourse to any other remedy besides the petitioner-tenant making himself liable in contempt proceedings.

Since the main petition stands dismissed as withdrawn, the pending applications, if any, shall also stand disposed of.

November 17, 2017

Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>