

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

Civil Revision No.7634 of 2012(O&M)

Date of decision: 06.04.2017

Naresh Kumar Gautam

...Petitioner

Versus

Smt. Resham Kaur

...Respondent

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

Present: Mr. Aman Sharma, Advocate for the petitioner.

Mr. Rajinder Goyal, Advocate for the respondent.

G.S.SANDHAWALIA, J. (Oral)

In pursuance of order dated 9.3.2017, counsel for the petitioner has filed affidavit of the petitioner-tenant that he would vacate the premises on 31.12.2017. Relevant part of the affidavit reads as under:-

“2. That it is respectfully submitted here that the petitioner has been inducted as the tenant in the demised premises i.e. H.No.3249/3, Sector 44-D, Chandigarh. This Hon'ble Court vide order dated 21.12.2012 has directed the petitioner to pay the rent in advance by 10th of each successor calendar month @ Rs.1000 per month.

3. That in compliance with the orders dated 21.12.2012 passed by this Hon'ble Court, the petitioner has been regularly depositing the rent in the Treasury. It is pertinent to mention here that the petitioner has last deposited an amount of Rs.4000/- for the month of December, 2016 till March, 2017. It is not out of place to mention here that the petitioner is not in arrears of rent for the said premises as the rent qua the demised premises has been regularly paid by the petitioner.

4. That the petitioner undertakes to vacate the premises in question i.e. H.No.3294/3, Sector 44-D, Chandigarh on or before 31.12.2017. Petitioner will hand over vacant physical

possession of the premises to the respondent on or before 31.12.2017.”

Keeping in view the above undertaking, the present revision petition is disposed off by binding the petitioner to abide by the terms of the undertaking.

It is made clear that in case the petitioner-tenant does not comply with the undertaking, it will be open to the respondent-landlord to take the possession of the premises in question forthwith and the Rent Controller concerned shall ensure that possession is delivered to the respondent-landlord even if police help is required.

April 06, 2017
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No