

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

CR 7539/2017(O&M)

Date of decision:29.11.2017

Davinder Mohan Singh Gulati @ Sonu

.....Petitioner

v.

Ghan Shiam Kapur

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Hardeep Singh,Advocate for the petitioner/tenant

Jaswant Singh,J,(Oral).

Petitioner/tenant is in revision against the concurrent orders passed by the Authorities below whereby in an eviction application under Section 13 of the East Punjab Urban Rent Restrict Act,1949, he has been ordered to be evicted from the demised shop on the ground of “bonafide requirement” by Rent Controller, Patiala vide order dated 9.11.2016 and findings affirmed by Appellate Authority,Patiala vide order dated 1.9.2017.

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 tenancy is of the year 1990. Accordingly, prayer is made to grant reasonable time for the petitioner to shift his business to some other place and vacate the premises.

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 respondent/landlord so as to avoid delay in

the matter and to save him 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. 01.12.2017 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 20.12.2017 before the Court of learned Rent Controller, Patiala, that he shall hand over actual physical vacant possession of the demised premises to the respondent/ landlord by 30.11.2018. 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 31.12.2017 and petitioner shall continue to pay future rent @ Rs.2000/- per month by 10th of each calendar month.

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

29.11.2017
joshi

(Jaswant Singh)
Judge

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