

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

**Civil Revision No.7959 of 2016 (O&M)
Date of Decision: 15.12.2017**

Makkhan Lal Bishnoi

..... Petitioner

Versus

Suresh Chand

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sachin Mittal, Advocate for the petitioner/tenant.

JASWANT SINGH, J. (ORAL)

The tenant is in revision directed against the concurrent findings recorded by both the Authorities below, whereby the tenant has been ordered to be evicted from the demised residential premises, *inter alia*, on the ground of '*personal necessity*', by learned Rent Controller, Ferozepur Jhirka, vide order dated 05.11.2015 and the findings thereof duly affirmed by learned Appellate Authority, Nuh, vide order dated 04.08.2016.

It transpires that the tenant had undertaken to vacate the premises by 31.07.2017 before the Executing Court during the pendency of the present revision.

Since the tenant could not abide by his undertaking, he has moved an application bearing CM No.24535-CII of 2017, *inter alia*, seeking forgiveness and pardon for violation of the undertaking.

At the time of hearing today, learned Counsel has filed an affidavit dated 12.12.2017 of Sh. Makhan Lal Bishnoi (petitioner) along with the acknowledgment of the landlord, whereby it is shown that the physical possession of the demised residential house has been handed over to the respondent-landlord on 07.12.2017 with all arrears paid upto date.

In view of the contents of the affidavit dated 12.12.2017 taken on record, the conduct of the tenant in violating the undertaking before the Executing Court is excused.

In view of the above, the present petition is dismissed as infructuous.

December 15, 2017

Gagan

(JASWANT SINGH)
JUDGE

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