

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

CR 8003/2017(O&M)

Date of decision:24.11.2017

Harish Kumar

.....Petitioner

v.

Kamlesh Rani and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.SD Sharma,Senior Advocate assisted by
 Mr.Ved Priya Malik,Advocate for the applicant/petitioner/
 tenant.

Jaswant Singh,J,(Oral).

Petitioner/tenant no.1 is in revision directed against the concurrent orders passed by the Authorities below, whereby he has been ordered to be evicted from the demised shop on the ground of “personal necessity” vide order dated 6.11.2015 passed by Rent Controller, Hoshiarpur, duly affirmed in appeal vide order dated 27.9.2017 passed by Appellate Authority,Hoshiarpur.

After arguing at length and having failed to convince the Court on merits, the learned counsel, upon instructions states that he would not press the instant petition provided some reasonable time is granted. It is submitted that commercial tenancy is almost 30 years old and petitioner is carrying out the business of supply tailoring material from the demised shop. Accordingly, prayer is made to grant reasonable time for 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, if any, at the

admitted rate of Rs.500/- per month, petitioner is also willing to quadruple existing monthly rent i.e. Rs.500/- to Rs.2000/- per month for the 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, two years 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 7.12.2017 before the Court of learned Rent Controller, Hoshiarpur, that he shall hand over actual, physical and vacant possession of the demised premises to the respondents/landlords by 30.11.2019. The undertaking shall also state that the entire arrears of rent, if any, at the admitted rate of Rs.500/- per month have been cleared till 30.11.2017 and petitioner shall pay future rent @ Rs.2000/- per month w.e.f. 1.12.2017 to 30.11.2019, by 10th of each calendar month.

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.

24.11.2017
joshi

(Jaswant Singh)
Judge

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