

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 05.12.2017****CR No.8513 of 2017 (O&M)**

Satpal (deceased) through his LRs

...Petitioner(s)

Vs.

Ranjit Singh & others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sanjeev Pandit, Advocate, for the petitioner(s).

RAJIV NARAIN RAINA, J. (ORAL)

1. Notice of motion.
2. Mr. Bhanu Pratap Singh, Advocate, who is present in Court on caveat, accepts notice on behalf of the landlord/respondent No.1 and waives service. Caveat is discharged.
3. Having heard learned counsel for the parties at considerable length, I do not find any legal or factual infirmity in the impugned orders dated 19.04.2016 and 21.11.2017 passed by the Rent Controller, Hoshiarpur and the Appellate Authority, Hoshiarpur.
4. In order to avoid sudden dislocation of business and to afford reasonable time to shift, the tenants/petitioners are directed to vacate the demised premises by 30.11.2018 provided they furnish an undertaking on an affidavit within a period of 15 days from the date of receipt of the certified copy of this order before the Rent Controller/Executing Court that they will hand over the vacant and peaceful possession of the demised shop to the respondents/landlords by the date agreed upon by the parties, who are present in Court and identified by their respective counsel.

5. Meanwhile, the tenants will calculate and pay the arrears of rent/*mesne* profits at the rate of ₹7000/- per month after adjusting the rent/*mesne* profits, if any already paid, from the date of the eviction order passed by the Rent Controller i.e. on 19.04.2016 till December, 2017 to the landlords on or before 31.03.2018. It is clarified that the future rent/*mesne* profits for the use and occupation of the demised premises as damages at the rate of ₹7000/- per month will run separately, which will be paid by the 10th day of every calendar month from January, 2018 onwards till the actual physical possession is delivered. Single default in payment will bring the eviction order automatically into operation. In such situation police help, if elicited, is extended for eviction and the process may be resorted to in accordance with law of reasonable force in case of default.

6. As a result, the instant petition is disposed of in the manner indicated above.

05.12.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes
No