

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

CR 8540/2017

Date of decision:18.12.2017

Gopal Krishan and another

.....Petitioners

v.

Kanta Rani

.....Respondent

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Vinod Khunger,Advocate for the petitioner/tenants.

Jaswant Singh,J,(Oral).

Petitioners/tenants are in revision against concurrent eviction orders passed by both the Authorities below whereby they have been ordered to be evicted from the demised shop No.529,Main Bazar,Kharar on the ground of bonafide requirement vide order dated 2.9.2015 passed by Rent Controller,Kharar and findings thereof affirmed in appeal vide order dated 11.8.2017 passed by Appellate Authority,Mohali.

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 commercial tenancy is of the year 2004 and petitioners are carrying out the business of dyeing *dupattas*. Accordingly, prayer is made to grant reasonable time for the petitioners to shift their business to some other place and vacate the premises. It is further submitted that besides clearing the arrears of rent at the admitted rate of Rs.3300/- per month, petitioners are also willing to pay future rent at the rate of Rs.5000/- per month for the time so granted by this Court. It is further submitted that mesne profits have not been determined.

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/landlady so as to avoid delay in the matter and to save her from unnecessary litigation expenses.

In view of the above, this petition is dismissed as not pressed, however, nine months time commencing w.e.f. 01.01.2018 is granted to the petitioners-tenants for making alternative arrangement subject to their furnishing an undertaking on or before 20.1.2018 before the Court of learned Rent Controller, Kharar, that they have cleared/deposited all arrears of rent upto 31.12.2017 at the admitted rate of Rs.3300/- as also enhanced rent @ Rs.5000/- for the month of January 2018 and that they shall hand over actual physical vacant possession of the demised premises to the respondent/ landlady by 30.09.2018. The undertaking shall also state that the future rent @ Rs.5000/- per month w.e.f. 1.2.2018 to 30.9.2018 shall be paid/deposited by them by 10th of each calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlady to seek their eviction forthwith with police help, if necessary without recourse to any other remedy besides the petitioners-tenants making themselves liable in contempt proceedings.

18.12.2017
joshi

(Jaswant Singh)
Judge

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