

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

**Civil Revision No.858 of 2017 (O&M)
Decided on : 21.02.2017**

Narinder Kaur and another

... Petitioners

Versus

Sumita Saluja

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Ashok Saini, Advocate
for the petitioners.

G.S. Sandhawalia, J. (Oral)

On 07.02.2017, the following order was passed:-

“After arguing for some time, keeping in view the fact that eviction has been ordered from the first floor of the premises and the respondent-landlord's requirement was bona fide for her family members which include her husband, two sons and two daughter-in-laws alongwith two grand children, counsel prays for time to file the requisite affidavit that he would vacate the premises by 31.12.2017 and would clear all the arrears of rent and continue depositing the rent by the 7th of each month.

Adjourned to 21.02.2017, for the said purpose. It is made clear that in case the affidavit is not filed on the next date of hearing, the case will be heard on merits.

It is further stated that the date of execution in the Executing Court is fixed for 14.02.2017.

Accordingly, the Executing Court will defer the proceedings keeping in view the fact that the tenants are likely to vacate the premises.”

In compliance of the said order, requisite affidavit of the petitioner Narinder Kaur has been filed.

At this stage, Mr. V.K. Sandhir, has put in appearance and filed

power of attorney on behalf of the respondent. He objected to the time being granted for vacation and mesne profits.

Keeping in view the fact that consent had been given at the outset on 07.02.2017 that the tenant would vacate the premises by 31.12.2017, this Court is of the opinion that in the given facts and circumstances, the undertaking which has been given today is justified.

Accordingly, eviction will not be ordered till 31.12.2017. The tenant will continue to pay the rent @ ₹7,000/- per month by 7th of each month and deposit the same with the Rent Controller. In case there is any violation of the undertaking given in any manner, it will be open to the landlord to seek possession by filing appropriate application before the Rent Controller.

With the abovesaid observations, the present revision petition stands disposed of.

FEBRUARY 21, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No