

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

CR No.8825 of 2017(O&M)

Date of Decision:-19.12.2017

Jeet Kumar.

.....Petitioner.

Versus

Suresh Kumar (since deceased) through his Lrs.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Gursharan Singh, Advocate for the Petitioner (tenant).

JASWANT SINGH, J.(ORAL)

Petitioner (tenant)-Jeet Kumar is in revision against the concurrent findings recorded by the Authorities below, whereby he has been ordered to be evicted from the demised premises i.e. shop situated at Green Model Town, Jalandhar City as mentioned in the petition on the ground of “personal use and occupation of son of Landlord-Suresh Kumar, namely, Sunny Kumar” by the Rent Controller, Jalandhar vide order dated 27.10.2016 duly affirmed vide judgment dated 19.09.2017 passed by the learned Appellate Authority, Jalandhar.

It is also not in dispute that the tenancy is since the year 2006. It is further submitted that petitioner (tenant) is running a Hair Cutting and Beauty Salon in the demised premises.

After arguing at length and having failed to convince the Court

the present revision petition provided some reasonable time may be granted to relocate subject to clearing all arrears of rent at the determined rate of rent i.e. Rs.5750/- per month.

In view of nature of the order being passed, it is not felt necessary to issue notice to the respondent/landlord so as to avoid delay in the matter and to save him from unnecessary litigation expenses.

In view of the prayer being reasonable, is accepted. Accordingly, this petition is dismissed as withdrawn, however, one year (01 year) time commencing w.e.f. 01.01.2018 is granted to the petitioner-tenant for making alternative arrangement subject to his furnishing an undertaking on or before 20.01.2018 before the Court of learned Rent Controller, Jalandhar, that he shall hand over actual physical vacant possession of the demised premises to the respondent/landlord by 31.12.2018. The undertaking shall also state that he has cleared all arrears of rent at the rate of Rs.5750/- per month payable till 31.01.2018 and continue to pay future rent at the rate of Rs.5750/- per month by 10th of each calendar month.

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

(JASWANT SINGH)
JUDGE

December 19, 2017

Vinay

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