

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

CR No.9083 of 2017(O&M)

Date of Decision:-22.12.2017

Ramesh Kumar.

.....Petitioner.

Versus

Satish Kumar Gulati.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Sudhir Paruthi, Advocate for the Petitioner (tenant).

JASWANT SINGH, J.(ORAL)

Petitioner (tenant)-Ramesh Kumar is in revision directed against the concurrent findings recorded by the Authorities below, whereby he has been ordered to be evicted from the demised premises i.e. shop no.7 (private) bearing House Tax No.495-A, situated in the area of Prem Nagar, Ambala City on the ground of “*dilapidated condition/unfit and unsafe condition of the shop*” by the Rent Controller, Ambala vide order dated 23.11.2015 duly affirmed vide judgment dated 03.11.2017 passed by the learned Appellate Authority, Ambala.

It is not in dispute that the petitioner (tenant) is running a dry cleaning business in the demised shop.

After arguing at length and having failed to convince the Court on merits, the learned counsel for the petitioner (tenant) wishes to withdraw the present revision petition provided some reasonable time may be granted to relocate subject to clearing all arrears of rent at the rate of Rs.120/- per month payable till 31.12.2017 and agreed to pay future rent at the rate of Rs.1,000/- 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 Accordingly, this petition is dismissed as withdrawn, however, one and a half years (1-1/2 years) time commencing w.e.f. 01.01.2018 is granted to the petitioner-tenant for making alternative arrangement subject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 30.06.2019. The undertaking shall also state that he has cleared all arrears of rent at the rate of Rs.120/- per month payable till 31.12.2017 and also paid the rent for the month of January, 2018 at the rate of Rs.1,000/- and further continue to pay the future rent at the rate of Rs.1000/- per month by 10th of each calendar month and also that the occupation of the demised premises having been declared 'unfit and unsafe for human habitation" will be at the sole risk and responsibility of the petitioner (tenant) during the period granted by this Court.

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 22, 2017
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>