

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 413 of 2018**

- Khileshwar Singh Khanna, S/o Late Kuldeep Singh Khanna, aged about 35 years, R/o Darripara, (Behind Female Hospital), Ambikapur, District Surguja (C.G.)

---- Petitioner

Versus

- Ramchandra Gupta, S/o Late Sarju Sao, aged about 65 years, R/o Darripara, (Behind Female Hospital), Ambikapur, District Surguja (C.G.)

---- Respondent

For Petitioner	:	Shri C. Jayant K. Rao, Advocate.
For Respondent	:	Shri Sunil Tripathi, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Justice Prashant Kumar Mishra****Order on Board****Per Ajay Kumar Tripathi, Chief Justice****03.08.2018**

1. Learned counsel representing the Petitioner gives an undertaking on behalf of the Petitioner, on due instructions, that he will handed over the vacant possession of the property which is under his occupation and was subject matter of dispute, to the Respondent by 12.00 pm of 31.08.2018.
2. It is made clear that if he fails to vacate the property and hand over the peaceful possession to the private Respondent in terms of the aforesaid undertaking, he shall be dealt with suitably for violation of an undertaking given to the Court including a contempt proceeding, if the occasion for the same arises.
3. So far as, the payment of the arrears of rent are concerned, he expresses his inability to make payments at this juncture.

4. Be that as it may, since there are decisions, both of the Rent Controller as well as the Appellate Tribunal, the private Respondent has adequate remedy under the Chhattisgarh Rent Control Act, 2011 to effect such recovery from him.
5. The writ application stands disposed off in terms of the above.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Prashant Kumar Mishra)
Judge