

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

-.-

Civil Revision 1359 of 2015 (O&M)

Date of decision: 16.02.2018

Ramesh Rani and another

.....Petitioners

Versus

Amarjit Singh and others

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vivek Sharma, Advocate
for the petitioners/tenants

Mr. V K Sandhir, Advocate
for respondent No. 1/landlord

-.-

Rekha Mittal, J. (Oral)

The present petition directs challenge against concurrent findings recorded by the Courts below whereby application under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short, 'the Act') for eviction of the petitioners and pro forma respondents was allowed by the Rent Controller, Amritsar vide order dated 25.10.2013 and the order passed by the Rent Controller is affirmed in appeal by the Appellate Authority under the Rent Act on 29.10.2014.

Counsel for the petitioners would state that he does not press the petition on merits in case the petitioners are given time upto 15.04.2018 to vacate the premises in question and the respondent/landlord agrees with the offer recorded in order dated July 12, 2017 that he will forgo his claim qua arrears of rent and mesne profits etc.

Counsel for respondent No. 1, on instructions from Amarjit

Singh would state that respondent No. 1 agrees to forgo arrears of rent/mesne profits etc. in case the petitioners hand over vacant possession of the demised premises to him on or before 16.04.2018.

In view of the above, the present petition is disposed of. The orders passed by the Courts below qua eviction of the petitioners along with their co-respondents stand affirmed, subject to following conditions:-

- i) The petitioners shall hand over vacant possession of the demised premises to respondent No. 1 on or before 16.04.2018;
- ii) They shall furnish an undertaking before the Rent Controller, Amritsar that they would vacate and hand over possession of the demised premises to respondent No. 1 on or before 16.04.2018, within a period of fifteen days from receipt of certified copy of the order; and
- iii) Respondent No. 1 shall forgo his claim for arrears of rent/mesne profits etc.

Failure of the petitioners to furnish an undertaking before the Rent Controller, Amritsar within the stipulated period would entitle respondent No. 1 to execute the order of eviction forthwith.

Disposed of accordingly.

No order as to costs.

(Rekha Mittal)
Judge

16.02.2018
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No