

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

270

CR No.1011 of 2018 (O&M)

Date of Decision : 15.03.2018

Vikas Walia and another

..... Petitioners

Versus

K.R. Kakkar and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Petitioner No.1 present in person alongwith
Mr. Divanshu Jain, Advocate
for the petitioners.

Respondents are present in person.

AJAY TEWARI, J. (Oral)

This revision has been filed against the order dated 05.12.2017 passed by the Appellate Authority, Mohali whereby the application moved by the respondents-landlords has been disposed off and the mesne profits have been assessed @ Rs.1,50,000/- per month.

Today on instructions from his client the learned counsel for the petitioners has stated that the petitioners will not press this petition on merits and will vacate the premises voluntarily on or before 31.12.2018 without forcing the respondents to file/press an execution petition and will continue to pay the rent in advance by the 7th of every month at agreed rate of Rs.53,000/- per month and also pay the other admissible charges regularly.

Respondents who are present in person have also accepted this

offer on the condition that the petitioners file an undertaking to the above

effect and deposits the entire arrears of rent upto 31.12.2018 before the Executing Court/Rent Controller on or before 30.06.2018, failing which, this revision be deemed to be dismissed.

Learned counsel for the petitioners has accepted this condition.

It has further been agreed that in case the petitioners vacate the premises on or before 31.12.2018 as mentioned above and pay the rent @ Rs.53,000/- p.m., which has been agreed today, this would be in full and final satisfaction of all the claims of the respondents. However, if the petitioners do not vacate the premises, the respondents would be entitled to rake up the entire issue of deficient rent etc. and would also be entitled to claim mesne profits at the rate determined by the Appellate Authority. Today two cheques of Rs.98,000/- each have been handed over to the respondents and the same would be set off against the amount due in case they are encashed.

It is further clarified that as a result of this, all the litigation except the execution application would be deemed to be finished.

In the circumstances, the revision petition is disposed of in the above terms, and subject to the deposit of all arrears and future rent and undertaking on or before 30.06.2018.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(**AJAY TEWARI**)
JUDGE

March 15, 2018
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No