

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

**CR No.173 of 2018 (O&M)
Date of decision: 11.05.2018**

Surjit Singh

...Petitioner

Versus

Namrata Gupta and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Abhinav Gupta, Advocate,
for the petitioner.

Ritu Bahri, J.

Surjit Singh-petitioner (tenant) has filed the present petition against the findings recorded by the Rent Controller, Bathinda and the Appellate Authority, Bathinda, vide order/judgments dated 14.05.2015 and 17.11.2017 respectively, whereby he has been ordered to be evicted from the demised premises i.e. first floor of building bearing MC No.4651-A, Dhobi Bazar, Bathinda, on the ground of “personal necessity.”

A perusal of the impugned order/judgments shows that the landladies (respondents herein) wanted to get the demised premises vacated on the ground of settling the business of Sumit Gupta (husband of applicant-respondent No.1) and for conducting the business of seling of readymade garments by applicant-respondent No.2.

The plea taken by the petitioner-tenant had been rejected by both the Courts below as he had also failed to prove his case. A perusal of the impugned order/judgments shows that no evidence was led by tenant-petitioner to show that the demised premises was not required by landladies-

respondents for settling their business. In the absence of any cogent and

convincing evidence, ejectment order/judgments have been rightly passed by the Courts below. No ground is made out to interfere in the impugned judgments. Accordingly, the present petition deserved to be dismissed.

After arguing at length and having failed to convince the Court on merits, learned counsel for the petitioner (tenant) prays that some reasonable time may be granted to relocate subject in order to clear all the arrears of rent at the determined rate of rent.

In view of the said fact, this petition is dismissed, however, one year's time commencing w.e.f. 12.05.2018 is granted to petitioner-tenant for making alternative arrangement, subject to furnishing an undertaking on or before 04.06.2018 before the Court of Rent Controller, Bathinda that he shall hand over actual physical vacant possession of the demised premises to respondent-landladies by 12.05.2019. The undertaking shall also state that he has cleared all the arrears of rent and shall continue to pay future rent at the rate of Rs.5000/- per month by 10th of each calendar month.

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

11.05.2018
ajp

(RITU BAHRI)
JUDGE

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