

**Sr. No. 120
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.1799 of 2018 (O&M)
Date of Decision: 08.08.2018**

Charanjit Kakkar

... Petitioner

Versus

Bachno Devi

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. S.S.Majithia, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner-tenant is in revision against the concurrent eviction orders passed by the authorities below and whereby he has been directed to be evicted from the demised premises i.e. H.No.1219/9, Harnam Nagar, Model Town, Ludhiana on the ground of “bonafide personal necessity” vide order dated 15.12.2016 passed by the Rent Controller, Ludhiana and findings having been affirmed by the Appellate Authority, Ludhiana vide order dated 27.11.2017.

After arguing at length and having failed to convince the Court on merits, learned counsel states that he would not press the instant petition provided some reasonable time is granted to vacate the premises. Counsel submits that tenancy relates back to a long period and as such a reasonable time be granted to enable the petitioner/tenant to make alternate arrangements. Counsel further submits that the tenant would clear the arrears of rent, if

any, @ Rs.1500/- per month and would also be willing to pay a future rent @ Rs.3000/- per month for the time so granted by this Court.

In the considered view of this Court, the prayer made by the petitioner/tenant is just and reasonable. Accordingly, I deem it appropriate to dispose of the instant petition without even issuing notice to the respondent/landlord so as to avoid unnecessary delay and also to avoid the burden of litigation expenses upon the landlord.

In view of the above, instant petition is dismissed as not pressed.

15 months' time commencing w.e.f. 01.08.2018 is granted to the petitioner/tenant for making alternate arrangements and to vacate the premises in question subject to his furnishing an undertaking on or before 20.08.2018 before the learned Rent Controller, Ludhiana that actual physical vacant possession of the demised premises would be handed over to the respondent/landlord by 31.10.2019. The undertaking shall also state that the entire arrears of rent, if any, at the agreed rate i.e. Rs.1500/- per month have been cleared till 31.07.2018 and the petitioner-tenant shall pay future rent @ 3000/- per month w.e.f. 01.08.2018 to 31.10.2019 by the 10th of each calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek eviction forthwith with police help and without recourse to any other remedy besides the petitioner/tenant making himself liable for contempt proceedings.

Petition is dismissed in the aforesaid terms.

Since the main revision petition has been decided pending application, if any, shall also stand disposed of.

08.08.2018

(TEJINDER SINGH DHINDSA)

vandana

JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

Yes