

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101

CR No.2259 of 2012 (O&M)

Date of Decision : 23.10.2018

Smt. Uma Malhotra and others

..... Petitioners

Versus

Surej Berwal and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Mukul Aggarwal, Advocate
for the petitioners.

Mr. Arun Jain, Sr. Advocate
with Mr. Subhash Godara, Advocate
for the respondents .

AJAY TEWARI, J. (ORAL)

This revision has been filed against the concurrent judgments of the courts below evicting the petitioners from the demised premises.

With the intervention of the learned senior counsel, this dispute has come to an end. On instructions from his client, the counsel for the petitioners has stated that the petitioners will vacate the premises voluntarily on or before 31.12.2019 without forcing the respondents-landlords to press an execution petition.

Learned senior counsel for the respondents on instructions from his client has also accepted this offer. He further states that the respondents-landlords would waive off all rent/mesne profits for the period from

undertaking to the above effect on the next date fixed before the Executing Court.

Counsel for the petitioners has accepted this condition.

In the circumstances, the revision petition is disposed of in the above terms. However, it is clarified that the excess amount of mesne profits which were deposited by the petitioners-tenants would be refunded to them. It is further clarified that in case the petitioners do not file an undertaking or do not hand over the vacant possession of the demised premises, they would be liable to pay rent as well as mesne profits apart from all the other remedies which may be available to the respondents.

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

(**AJAY TEWARI**)
JUDGE

October 23, 2018
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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No