

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

-.-

Civil Revision No. 2023 of 2018 (O&M)

Date of decision: 27.03.2018

Yogender Verma

..... *Petitioner*

Versus

N K Vasudeva and others

.....*Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Ms. Baljeet Kaur Bhullar, Advocate
for the petitioner
Mr. Karan Vir Nanda, Advocate
for the caveators/respondents

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Rekha Mittal, J. (Oral)

The present petition directs challenge against consistent findings recorded by Courts whereby application filed under Section 13 of The East Punjab Urban Rent Restriction Act, 1949 for ejectment of the respondents from two rooms, store room on the ground floor and one big room on the first floor in plot No.117, Industrial Area, Phase II, Chandigarh was allowed by the Rent Controller, Chandigarh and appeal preferred by the petitioner against his eviction did not find favour with the Appellate Authority and the same was dismissed on 10.11.2017.

After arguing for some time, counsel for the petitioner would state that she does not press the petition on merits but the petitioner may be given reasonable time to vacate room on the first floor as possession of two rooms and store room on the ground floor has already been taken over by the respondents in the pending execution proceedings.

Counsel for the caveator/respondents has got no objection if the petitioner is allowed three months time to hand over vacant possession of

one big room on the first floor as possession of demised premises on the ground floor has already been received by the respondents in execution of warrants of possession issued by the Court.

In view of the above, the present petition stands disposed of. The orders passed by the Courts with regard to eviction of the petitioner stand affirmed. The petitioner shall hand over vacant possession of room on the first floor in his occupation subject to the following conditions:-

- i) He will hand over vacant possession of room on the first floor on or before 27th July 2018;
- ii) Arrears of rent/mesne profits (if any fixed by the Appellate Authority) upto date shall be deposited with the Rent Controller, Chandigarh within a period of fifteen days;
- iii) Rent/mesne profits of the subsequent months shall be deposited on or before 7th of each calendar month; and
- iv) The petitioner shall furnish an undertaking before the Rent Controller, Chandigarh within a period of fifteen days that he will hand over vacant possession of room on the first floor on or before 27th July 2018.

Failure of the petitioner to comply with either of the aforesaid conditions would entitle the respondents to execute eviction order with regard to room on the first floor forthwith.

No order as to costs.

(Rekha Mittal)
Judge

27.03.2018
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No