

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

CR No.2411 of 2018 (O&M)

Date of decision: 15.5.2018

Devi Singh

....Petitioner

VERSUS

Gurdev Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Jagan Nath Bhandari, Advocate for the petitioner.

Mr. S.S. Bains, Advocate for respondent/caveator.

REKHA MITTAL, J.(Oral)

After arguing at length, counsel for the petitioner would state that he does not press the petition on merits but reasonable time may be allowed to the petitioner to shift to an alternative accommodation.

Counsel for the respondent/caveator has got no objection if some time is allowed to the petitioner to vacate the premises in question but conditions may be imposed in order to ensure vacation of premises in question in a time-bound manner. He has further submitted that the petitioner may be directed to pay mesne profits from the date of eviction order at a rate to be determined by this Court.

In view of the above, the present petition stands disposed of. Order of eviction passed by the Rent Controller on the ground of personal requirement of respondent/landlord and affirmed by the Appellate Authority is confirmed subject, however, to the following conditions:-

1. The petitioner shall hand over vacant possession of the tenancy premises on or before 10.01.2019.
2. He shall pay arrears of rent/mesne profits at the rate of Rs.1500/- per month from the date of eviction order passed by the Rent Controller within a period of one month by way of demand draft in the name of respondent.
3. Rent of subsequent period shall be paid by 10th of each calendar month.
4. He shall pay arrears of rent at the rate of Rs.400/- per month till the passing of eviction order, if any outstanding.
5. The petitioner shall furnish an undertaking before the Rent Controller within a period of 15 days from today that he will hand over possession of the tenancy premises on or before 10.01.2019.

Failure of the petitioner to comply with either of the conditions would entitle the respondent to seek execution of the eviction order forthwith.

Disposed of accordingly.

MAY 15, 2018
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No