

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

CR No.2773 of 2018 (O&M)

Date of decision: 3.7.2018

Gurwinder Singh @ Billa and othersPetitioners

VERSUS

Kirpal SinghRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sandeep Jain, Advocate for the petitioners.

Mr. Sarju Puri, Advocate for the respondent.

* * * * *

REKHA MITTAL, J.(Oral)

The present petition lays challenge to order dated 28.11.2017 passed by the Rent Controller, Shaheed Bhagat Singh Nagar whereby eviction application under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949 (in short 'the Act') has been allowed after contest. Counsel for the petitioners made a statement on the last date of hearing that the petitioners do not press the petition on merits but they may be given reasonable time to shift from the demised premises. He has reiterated his plea raised on the last date of hearing.

Counsel for the respondent/caveator would state that the petitioners are not entitled to any concession even with regard to time for vacation of the premises in question and they are in arrears of rent since 2002.

In view of the above, the present petition stands disposed of. Order impugned passed by the Rent Controller is affirmed subject, however, to the following conditions:-

1. The petitioners shall hand over vacant possession of the tenancy premises to the respondent/landlord on or before 30.09.2018.
2. The petitioners shall clear arrears of rent upto date by way of deposit with the Rent Controller, within a period of one month.
3. Rent of subsequent months shall be deposited by 10th of each calendar month with the Rent Controller, S.B.S. Nagar.
4. The petitioners shall furnish an undertaking before the Rent Controller, S.B.S. Nagar within a period of 15 days from today that they shall hand over vacant possession of the tenancy premises to the respondent/landlord on or before 30.09.2018.

Failure of the petitioners to comply with either of the conditions would entitle the respondent/landlord to execute the eviction order forthwith.

Disposed of accordingly.

JULY 3, 2018
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No