

In the High Court of Punjab and Haryana at Chandigarh

CR No. 3296 of 2018(O&M)

Date of Decision:24.5.2018

Raj Pal @ Jogesh Kumar

---Petitioner

vs.

Ramesh Pal

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr.Vishal Aggarwal, Advocate
for the petitioner
Raj Pal @ Jogesh Kumar, petitioner in person

Rekha Mittal, J.

The present petition directs challenge against concurrent findings recorded by the courts whereby application under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short "the Act") filed by the respondent-landlord was allowed by the Rent Controller, Ludhiana vide order dated 5.4.2017 and appeal preferred by the petitioner/tenant did not find favour with the Appellate Authority, Ludhiana and the order of eviction was affirmed.

After arguing for sometime, counsel for the petitioner, on instructions, would state that he does not press the petition on merits but the petitioner may be given reasonable time to make arrangement of alternative accommodation as he is in occupation of the shop in question since 1982.

In view of the above, the petition is disposed of. The order of eviction passed by the Rent Controller and affirmed in appeal is confirmed, subject, however, to the following conditions:-

1. The petitioner shall hand over vacant possession of tenancy premises to the respondent-landlord on or before 31.1.2019.

2. He shall deposit arrears of rent upto date within a period of one month by way of demand draft in the name of respondent.
3. Rent of subsequent months shall be deposited by 7th of each calendar month with the Rent Controller, Ludhiana.
4. The petitioner shall furnish an undertaking within a period of 15 days before the Rent Controller, Ludhiana that he will hand over vacant possession of the tenancy premises to the respondent-landlord on or before 31.1.2019.

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

(Rekha Mittal)
Judge

24.5.2018

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Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No