

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

206

CR-3670-2012 (O&M)

Date of decision: 29.08.2018

M/S SINGAL SANITARY & HARDWARE STORE & ANR.

... Petitioners

Versus

KARNAIL KAUR & ORS.

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Ashwani K. Chopra, Sr. Advocate with
Mr. Ankit Midha, Advocate and Ms. Eesha Khanna, Advocate
for the petitioners.

Mr. Arun Jain, Sr. Advocate with
Mr. S.K. Sharma, Advocate for the respondents.

REKHA MITTAL, J. (Oral)

The present petition directs challenge against order dated 12.04.2012 passed by the Appellate Authority, Panchkula whereby appeal preferred by the respondents/landlord against order dated 15.09.2011 passed by the Rent Controller, Panchkula dismissing the application for eviction was allowed and the petitioners/tenants were ordered to be evicted from the tenancy premises.

Counsel for the petitioners would state that he does not press the petition on merits but the petitioners may be given six months time to handover vacant possession of the tenancy premises to the respondents.

Counsel for the respondents would urge that as the petitioners have failed to comply with order dated 29.05.2018 passed by this Court assessing mesne profits, the petitioners may be allowed only two months

time to handover vacant possession of the tenancy premises but without prejudice to right of the respondents to seek recovery for use and occupation of the tenancy premises with effect from the ejectment order was passed by the Appellate Authority.

In view of the above, the eviction order passed by the Appellate Authority is ordered to be affirmed. However, the petitioners are allowed time upto 31.12.2018 to vacate the tenancy premises subject to the following conditions:-

1. The petitioners shall pay arrears of rent upto 31.12.2018 within a period of one month from today by way of demand draft. The same shall be in the name of Smt. Karnail Kaur, respondent No.1, as agreed.
2. The petitioners shall furnish an undertaking within a period of 15 days with the Rent Controller, Panchkula that they will handover vacant possession of the tenancy premises on or before 31.12.2018.

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

Disposed of accordingly.

(REKHA MITTAL)
JUDGE

29.08.2018
ashok

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No