

In the High Court of Punjab and Haryana at Chandigarh

CR No. 3776 of 2018(O&M)

Date of Decision: 19.07.2018

Mohinder Kumar

---Petitioner

versus

Bhagwan Singh

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Munish Gupta, Advocate
for the petitioner**

Rekha Mittal, J.

The present petition directs challenge against concurrent findings of facts recorded by the courts whereby application for eviction on the ground of personal necessity of the respondent-landlord, has been allowed.

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 shop as he is running his business in the property in question since 1986.

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 vacate and hand over vacant possession

of the tenancy premises to the respondent on or before
31.1.2019.

2. He shall deposit arrears of rent/mesne profits (if any,
assessed by the Appellate Authority) till date by way of
demand draft in the name of respondent with Rent
Controller, Patiala on or before 15.8.2018.
3. The rent/mesne profits of the subsequent months shall be
paid by way of demand draft in the name of respondent on
or before 7th of each calendar month.
4. The petitioner shall furnish an undertaking within a period of
15 days before the Rent Controller, Patiala that he will hand
over vacant possession of the tenancy premises to the
respondent 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

19.07.2018

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No