

**Sr. No. 124
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.4197 of 2018 (O&M)
Date of Decision: 04.09.2018**

Naresh Kumar and another

... Appellants

Versus

Satish Kumar

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Animesh Sharma, Advocate,
for the appellants.

Mr. Rakesh Gupta, Advocate,
for the caveator/respondent-landlord.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioners/tenants are in revision against the concurrent eviction orders passed by the authorities below and whereby they have been directed to be evicted from the demised premises i.e. portion of Shop No.31/1, situated at Jawahar Market, Rajpura Town, Tehsil Rajpura, District Patiala on the ground of bona fide “personal necessity” vide order dated 01.02.2017 passed by the Rent Controller, Rajpura and findings having been affirmed by the Appellate Authority, Patiala vide order dated 19.05.2018.

After arguing at length and having failed to convince the Court on merits, learned counsel states that he would not press the instant petition provided some reasonable time is granted to vacate the premises. Counsel submits that tenancy relates back to the year 1980 and as such a reasonable time be granted to enable

the petitioners/tenants to make alternate arrangements. Counsel further submits that the tenants would clear the arrears of rent, if any, @ Rs.5000/- per month i.e. the mesne profit already determined.

Mr. Rakesh Gupta, learned counsel representing caveator/respondent landlord Satish Kumar does not oppose the prayer made on behalf of the petitioners/tenants.

In view of the above, the instant petition is dismissed as not pressed.

15 months' time commencing w.e.f. 01.10.2018 is granted to the petitioners/tenants for making alternate arrangements and to vacate the demised premises subject to their furnishing an undertaking or or before 30.09.2018 before the learned Rent Controller, Rajpura that actual, physical and vacant possession of the demised premises would be handed over to the respondent/landlord by 31.12.2019. The undertaking shall also state that the entire arrears of rent, if any, at the rate of Rs.5000/- per month have been cleared till 30.09.2018 and the petitioners/tenants shall continue paying rent @ Rs.5000/- per month w.e.f. 01.10.2018 to 31.12.2019 by the 10th of each calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek eviction forthwith, with police help and without recourse to any other remedy besides the petitioners/tenants making themselves liable for contempt proceedings.

Revision petition is dismissed in the aforesaid terms.

Since the main revision petition has been disposed of,
pending application, if any shall also stand disposed of.

04.09.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No