

**Sr. No.120
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.4205 of 2018 (O&M)
Date of Decision: 02.08.2018**

M/s Om Enterprises

... Petitioner

Versus

Gursharan Singh and another

... Respondents

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

Present:- Mr. G.S.Sirphikhi, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner/tenant is in revision against the concurrent eviction orders passed by the authorities below and whereby he has been directed to be evicted from the demised premises i.e. a shop situated at G.T.Road, Batala on the ground of personal necessity vide order dated 17.01.2015 passed by the Rent Controller, Batala and having been affirmed by the Appellate Authority vide order dated 28.02.2018.

Having argued 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 the tenancy commenced approximately 30 years back and as such reasonable time be granted to enable the petitioner/tenant to shift his business operation to some other place to vacate the premises in question.

Counsel further submits that he would clear the arrears of rent, if any, @ Rs.1210/- per month and would also be willing to pay a future rent @ Rs.5000/-per month for the time so granted by this Court.

In the considered view of this Court, the prayer made by the petitioner-tenant is just and reasonable. Accordingly, I deem it appropriate to dispose of the instant petition without issuing notice to the respondent/landlord(s) so as to prevent unnecessary delay and also to avoid the burden of litigation expenses upon the landlord(s).

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

One year time commencing w.e.f. 01.08.2018 is granted to the petitioner/tenant for making alternate arrangement and to vacate the premises in question subject to his furnishing an undertaking on or before 20.08.2018 before the learned Rent Controller, Batala that he would hand over actual physical vacant possession of the demised premises to the respondent/landlord(s) by 31.07.2019. The undertaking to be furnished shall also state that entire arrears of rent, if any, at the rate of agreed rent i.e. Rs. 1210/- per month have been cleared till 31.07.2018 and the petitioner/tenant shall pay future rent @ Rs.5000/- per month w.e.f. 01.08.2018 to 31.07.2019 by the 10th of each calendar month.

Needless to say that any violation of the aforesaid terms, shall entitle the landlord(s) to seek eviction forthwith with police help and without recourse to any other remedy beside the

petitioner/tenant making himself liable for contempt proceedings.

Petition is dismissed in the aforesaid terms.

02.08.2018
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No