

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

**CR-4345-2018 (O&M)
Date of Decision: 12.07.2018**

Ashwani Arora

... Petitioner

Versus

Rajiv Kumar Murrai

... Respondent

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

Present:- Mr. Onkar Singh, 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 described as shop No.4 (also known as 115-C forming part of property No.115 Adarsh Nagar, Jalandhar) on the ground of 'personal necessity' vide order dated 13.02.2017 passed by the Rent Controller, Jalandhar and findings having been affirmed by the Appellate Authority vide order dated 15.05.2018.

2. 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 the tenancy commenced approximately 22 years back and as such, a reasonable time be granted to enable the petitioner/tenant to shift his business operations to some other place and to vacate the premises in question. Counsel further submits that he would clear the arrears of rent, if any, at the rate of Rs.270/- per month and would also be willing to pay a future rent at the rate of Rs.1000/- per month for the time so granted by this Court.

3. 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 so as to prevent unnecessary delay and also to avoid the burden of litigation expenses upon the landlord.

4. 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 arrangements subject to his furnishing an undertaking on or before 25.07.2018 before the learned Rent Controller, Jalandhar that he shall hand over actual physical vacant possession of the demised premises to the respondent/landlord by 31.07.2019. The undertaking shall also state that the entire arrears of rent, if any, at the agreed rate of Rs.270/- per month have been cleared till 31.07.2018 and the petitioner/tenant shall pay future rent at the rate of Rs.1000/- per month w.e.f. 01.08.2018 to 31.07.2019 by the 10th of each calendar month.

5. Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek his eviction forthwith with police help, if necessary and without recourse to any remedy besides the petitioner/tenant making himself liable to contempt proceedings.

6. Petition is dismissed in the aforesaid terms.

12.07.2018

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**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |