

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-4418-2018 (O&M)
Date of Decision: 16.07.2018

Gulzaran & another

--Petitioners

Versus

Abdul Latif

--Respondent

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

Present:- Ms. Shikha Jaidka, Advocate for the petitioners.

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. a shop at Malerkotla on the ground of 'personal necessity' vide order dated 28.10.2015 passed by the Rent Controller, Malerkotla and findings having been affirmed by the Appellate Authority, Sangrur vide order dated 26.3.2018.

After arguing at length and having failed to convince the Court on merits, learned counsel states that she would not press the instant petition provided some reasonable time is granted to vacate the premises. Counsel submits that the tenancy commenced in the year 1988 and as such, a reasonable time be granted to enable the petitioners/tenants to shift their business operations to some other place and to vacate the premises in question. Counsel further submits that the tenants would clear the arrears of rent, if any, @ Rs.1500/- 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 petitioners/tenants 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.

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 petitioners/tenants for making alternate arrangements subject to their furnishing an undertaking on or before 30.07.2018 before the learned Rent Controller, Malerkotla that actual, physical, vacant possession of the demised premises would be handed over 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.1500/- per month have been cleared till 31.07.2018 and the petitioners/tenants 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 to seek his eviction forthwith with police help, if necessary and without recourse to any remedy besides the petitioners/tenants making themselves liable to contempt proceedings.

Petition is dismissed in the aforesaid terms.

Pending application(s), if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

16.07.2018

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No