

**Sr. No.140
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.4559 of 2018 (O&M)
Date of Decision: 20.07.2018**

M/s Khyali Ram and others

... Petitioners

Versus

Vinod Kumar

... Respondent

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

Present:- Mr. Suman Jain, Advocate,
for the petitioners.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner/tenants are in revision against the concurrent eviction orders passed by authorities below and whereby they have been directed to be evicted from the demised premises i.e. shop/plot No.79, situated in New Anaz Mandi, Palwal on the ground of personal necessity. Vide order dated 27.07.2015 passed by the Rent Controller, Palwal and the findings having been affirmed by the Appellate Authority vide order dated 16.07.2018.

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 the tenancy commenced more than 30 years back and as such reasonable time be granted to enable the petitioner/tenant(s) to shift their business operation to some other place and to vacate the premises in question.

Counsel further submits that they would clear the arrears of rent @ Rs.7000/- per month from the date of passing of the ejectment order by the Rent Controller i.e. 27.07.2015. Willingness has further been indicated to pay future rent @ Rs.10,000/- per month for the time so granted by this Court.

In the considered view of this Court, the prayer made by the petitioner/tenant(s) is just and reasonable. Accordingly, I deem it appropriate to dispose of the instant petition without issuing any 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.

15 months' time commencing w.e.f. 01.08.2018 is granted to the petitioner/tenant(s) for making alternate arrangement and for vacation of the demised premises subject to their furnishing an undertaking on or before 10.08.2018 before the learned Rent Controller, Palwal that they shall hand over actual physical vacant possession of the demised premises to the respondent/landlord(s) by 30.10.2019. The undertaking shall also state that the entire arrears of rent @ Rs.7000/- per month from the date of passing of the ejectment order by the Rent Controller i.e. 27.07.2015 and up to 31.07.2018 have been cleared and the petitioner/tenant(s) shall pay future rent @ Rs.10,000/- per month w.e.f. 01.08.2018 to 30.10.2019 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 resort to any other remedy beside the petitioner/tenant(s) making themselves liable for contempt proceedings.

Petition is dismissed in the aforesaid terms.

20.07.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No