

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

DIWAKER GULATI
2018.09.20 11:04

CR No.4775 of 2018 (O&M)

Date of decision: 19.9.2018

Raman Kumar Mahajan

....Petitioner

VERSUS

Kailash Kaur

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Raman Kumar Mahajan, petitioner in person with
Mr. V.K. Sandhir, Advocate.

REKHA MITTAL, J.(Oral)

The present petition directs challenge against concurrent findings of fact recorded by the Courts whereby application under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short 'the Act') for eviction of petitioner (respondent therein) from Shop No.82-A, Shaheed Bhagat Singh Market, Opposite Chitta Ghumat, Amritsar was allowed by the Rent Controller on the ground of bona fide personal necessity of son of the respondent and the Appellate Authority affirmed the order passed by the Rent Controller.

Counsel for the petitioner, on instructions, would state that he does not press the petition on merits but the petitioner may be given one year time to shift his business to an alternative accommodation.

In view of the above, order of eviction passed by the Rent Controller and affirmed in appeal is ordered to be confirmed subject, however, to the following conditions:-

1. The petitioner shall vacate and hand over vacant possession of the tenancy premises to the respondent/landlord on or before 30.06.2019.
2. The petitioner shall deposit arrears of rent upto December 2018 by way of demand draft in the name of respondent with the Rent Controller, Amritsar within a period of one month. The rent upto 30.06.2019 shall be deposited with the Rent Controller, Amritsar by way of demand draft in the name of respondent on or before 31.01.2019.
3. The petitioner shall furnish an undertaking before the Rent Controller, Amritsar within a period of 20 days from today that he will hand over vacant possession of the tenancy premises to the respondent/landlord on or before 30.06.2019.

Failure of the petitioner to comply with either of the conditions would entitle the respondent/landlord to execute the eviction order forthwith.

Disposed of accordingly.

SEPTEMBER 19, 2018
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No