

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

**C.R No. 5015 of 2018(O&M)
Date of decision :05.10.2018**

Vishnu

..... Petitioner

Versus

Vijay Singh and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.Puneet Kumar Bansal, Advocate
for the petitioner.

LISA GILL,J

Petitioner is aggrieved of order dated 04.07.2017, passed by the learned Rent Controller, Ferozepur, as well as order dated 13.12.2017, passed by the learned Appellate Authority, Ferozepur.

Eviction of the petitioner from the demised premises has been directed by the learned Rent Controller, Ferozepur on the ground that provisional rent was not tendered by him despite an opportunity of two months afforded to him after the matter came up for hearing for the first time. The arrears were not deposited even before the learned Appellate Authority, which has affirmed the finding of the learned Rent Controller vide order dated 13.12.2017.

Learned counsel for the petitioner, at the outset, submits that he does not press the petition on merits, however, he seeks extension of

time to vacate the premises in question. The petitioner further undertakes that the petitioner shall deposit the entire arrears of rent. Learned counsel points out to decision dated 04.10.2018 in CR No. 4678 of 2018, passed by a Coordinate Bench of this Court, in respect to a revision petition filed by another tenant in the same premises. Eviction of the said tenant-Arjan Ram @ Arjan Dass, has been directed on the ground of *bona fide* personal necessity of the landlord. Arjan Ram @ Arjan Dass has been granted time up to 31.12.2019 to handover vacant, actual, physical possession of the premises to the respondent-landlords subject to an undertaking regarding clearance of the entire arrears of rent at the rate of ₹75/- per month up till 31.10.2018 as well as future rent at the rate of ₹200/- per month w.e.f. 01.11.2018 to 31.12.2019 by the 10th of each calendar month.

Keeping in view the stand of the petitioner, it is considered appropriate to dispose of this petition without issuance of notice to the respondents in order to obviate any delay and to avoid the burden of unnecessary litigation expenses upon the respondents.

The present petition is accordingly dismissed as not pressed. However, the petitioner-tenant is afforded time up till 31.03.2019 for making alternate arrangements to vacate the premises in question subject to an undertaking to be furnished by him on or before 31.10.2018 before the learned Rent Controller, Ferozepur to the effect that vacant, actual, physical possession of the demised premises shall be handed over by him to the respondent-landlord by 31.03.2019. He shall clear all arrears of rent. Petitioner in his undertaking shall clearly state that the entire arrears

of rent as assessed by the learned Rent Controller, Ferozepur, have been cleared up till 31.10.2018 and he shall pay future rent at the rate of ₹200/- per month w.e.f. 01.11.2018 to 31.03.2019 by the 10th of each calender month.

Needless to say that any violation of the aforesaid terms shall entitle the landlords to seek eviction forthwith with police help and without recourse to any remedy besides the petitioner-tenant making himself liable to contempt proceedings.

05.10.2018

s.khan

(LISA GILL)
JUDGE

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