

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

CR No.607 of 2018 (O&M)
Date of Decision: 16.07.2018

Basanti Devi

... Appellant

Versus

Vijay Kumar and others

... Respondents

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

Present:- Mr. D.S.Matya, Advocate,
for the appellant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner/tenant is in revision against the concurrent eviction orders passed by the authorities below and whereby she has been directed to be evicted from the premises described as House No.549/3 (Old) and 1169-1170/6 (new) situated in Mohalla, Roshanpura, Gurugram on the ground of bona fide “personal necessity” vide order dated 27.02.2015 passed by the Rent Controller, Gurugram and findings having been affirmed by the Appellate Authority vide order dated 09.11.2017.

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 tenancy commenced approximately 40 years back and as such reasonable time be granted to enable the petitioner/tenant to make alternate

arrangements and to vacate the premises in question. Counsel further submits that the tenant would clear the arrears of rent, if any, at the agreed rate of Rs.300/- per month and would also be willing to pay a future rent @ Rs.1000/- per month for the time that may be granted by this Court.

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 any notice to the landlord/respondent(s) so as to prevent unnecessary delay and also to avoid the burden of litigation expenses upon the landlord/respondent(s).

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 arrangement subject to furnishing an undertaking on or before 30.07.2018 before the learned Rent Controller, Gurugram that she would hand over actual physical vacant possession of the demised premises to the respondent/landlord(s) by 31.07.2019. The undertaking would also state that the entire arrears of rent, if any, @ Rs.300 per month have been cleared till 31.07.2018 and the petitioner/tenant shall pay future rent @Rs.1000/- per month for the period 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(s) to seek eviction forthwith with police help, if necessary, without recourse to any remedy besides the

CR No.607 of 2018 (O&M)

3

petitioner/tenant making herself liable to contempt proceedings.

Petition is dismissed in the aforesaid terms.

16.07.2018
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No