

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-6373-2018 (O&M)
Date of Decision: 27.09.2018

Rekha Grover

--Petitioner

Versus

Sunil Kumar & another

--Respondents

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

Present:- Mr. P.K. Garg, Advocate for the petitioner.

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 demised premises i.e. two rooms being part of House No.650, Keshav Ram Colony, Burail, U.T., Chandigarh on the ground of “bonafide personal necessity” vide order dated 29.8.2017 passed by the Rent Controller, Chandigarh and findings having been affirmed by the Appellate Authority, Chandigarh vide order dated 31.7.2018.

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 petitioner is a widow with a marriageable daughter and the tenancy relates back to the year 2005 and as such, reasonable time may be granted to enable the petitioner/tenant to vacate the demised premises and to make alternate arrangements. Counsel further submits that the tenant would clear the arrears of rent, if any, @ Rs.5,000/- per month and would also be willing to pay future rent @ Rs.5,000/- per month for the time that may be so 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 even issuing notice to the landlord (s)/respondents so as to avoid unnecessary delay and also to avoid the burden of litigation expenses upon the landlord.

In view of the above, instant petition is dismissed as not pressed. Six months time commencing w.e.f. 1.10.2018 is granted to the petitioner/tenant for making alternate arrangements and to vacate the premises in question subject to her furnishing an undertaking on or before 10.10.2018 before the learned Rent Controller, Chandigarh that actual, physical and vacant possession of the demised premises would be handed over to the respondent/landlord by 31.3.2019. The undertaking shall also state that the entire arrears of rent, if any, @ Rs.5,000/- per month have been cleared till 30.9.2018 and the petitioner/tenant shall continue paying future rent @ Rs.5,000/- per month w.e.f. 1.10.2018 to 31.3.2019 by the 10th of each calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlord(s)/respondents to seek her eviction forthwith with police help, if necessary and without recourse to any remedy besides the petitioner/tenant making herself 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

27.09.2018

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