

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

255-A

**CM-27186-CII-2017 in/and
CR-6767-2012**

Date of Decision : 25.01.2018

Sandeep Puri

..... Petitioner

Versus

Anju Kumari

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Parveen Kumar Garg, Advocate
for the applicant-respondent.

Non-Applicant-Petitioner present in person alongwith
Mr. Arjun Veer Sharma, Advocate
for Mr. Amit Jain, Advocate.

AJAY TEWARI, J. (Oral)

On the oral request of the counsel, the main petition is taken up
for hearing today itself.

This is an application for vacation of stay on the ground that
the mesne profits have not been deposited.

Counsel for the non-applicant-petitioner states that in case the
landlord is willing to give two months' time to the non-applicant-petitioner
and does not insist on making recovery of mesne profits, the petitioner
would not press this petition and vacate the premises and also continue to
pay the contractual rent.

Counsel for the applicant-respondent states that apart from the
arrears of mesne profits there are arrears of the contractual rent which are
pending and in case the non-applicant-petitioner deposits the same and also
furnishes an undertaking to vacate the premises, he would have no objection
to accept the offer.

In view of the agreement between the parties, the petition is dismissed as not pressed. Application also stands disposed of. It is further made clear that in case the petitioner deposits the contractual rent upto 31.03.2018 and furnishes an undertaking that he will hand over the vacant possession on or before 31.03.2018, the respondent-landlord will not take the possession upto 31.03.2018. The payment and undertaking be furnished before the Executing Court on or before 19.02.2018, failing which, the concession given by the respondent-landlord regarding non-recovery of mesne-profits and others etc. would stand vacated and the petition would be deemed to be dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

JANUARY 25, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No