

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

**CR-6746-2018 (O&M)
Date of Decision:11.10.2018**

Shamsher Singh & another	... Petitioners
Versus	
Rewa Devi	... Respondent

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

Present:- Mr. Munish Bhardwaj, Advocate for the petitioners.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioner/tenants are in revision against the concurrent eviction orders passed by the authorities below and whereby they have been directed to be evicted from the demised premises i.e. two bedrooms along with bathroom situated at ground floor and one common toilet situated at first floor of House No.308, Village Kajheri, U.T. Chandigarh on the twin grounds of non-payment of rent and being in arrears of rent @ Rs.1000/- per month w.e.f. 01.01.2008 till January, 2017 as also on the ground of bonafide 'personal necessity' vide order dated 16.01.2017 passed by the Rent Controller, Chandigarh and findings having been affirmed by the Appellate Authority, Chandigarh vide order dated 07.08.2018.

2. 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 petitioners had been residing in the demised premises since the year 1993 and as such, a reasonable time be granted to enable the petitioners/tenants to make alternate arrangements. Counsel further submits that the petitioners/tenants would clear the arrears of rent @ Rs.1000/- per month and as had been directed by the Rent Controller, Chandigarh and

would also be willing to pay a future rent @ Rs.2500/- per month for the time that may be so granted by this Court.

3. In the considered view of this Court, the prayer made by the petitioners/tenants is just and reasonable. Accordingly, I deem it appropriate to dispose of the instant petition without issuing notice to the respondent/landlord so as to prevent unnecessary delay and also to avoid the burden of litigation expenses upon the landlord.

4. In view of the above, the instant petition is dismissed as not pressed. 12 months time commencing w.e.f. 01.11.2018 is granted to the petitioners/tenants for making alternate arrangements and to vacate the premises in question subject to their furnishing an undertaking on or before 31.10.2018 before the learned Rent Controller, Chandigarh that actual, physical, vacant possession of the demised premises would be handed over to the respondent/landlord by 31.10.2019. The undertaking shall also state that the entire arrears of rent @ Rs.1000/- per month w.e.f. 01.01.2008 till 31.10.2018 have been cleared and the petitioners/tenants would pay future rent @ Rs.2500/- per month w.e.f. 01.11.2018 to 31.10.2019 by the 10th of each calendar month.

5. Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek eviction forthwith with police help and without recourse to any remedy besides the petitioners/tenants making themselves liable to contempt proceedings.

6. Petition is dismissed in the aforesaid terms.

11.10.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |