

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

**CR-6841-2018 (O&M)
Date of Decision:08.10.2018**

Jai Parkash Singla @ Sathi	Versus	... Petitioner
Sukhcharanjit Kaur		... Respondent

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

Present:- Mr. Brijeshwar Singh, 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 he has been directed to be evicted from the demised premises i.e. a shop (depicted as red in colour in the site plan attached along with the ejectment petition) and situated at Patti Wali Gali, Court Road, Moga on the ground of bonafide 'personal necessity' vide order dated 05.10.2015 passed by the Rent Controller, Moga and findings having been affirmed by the Appellate Authority, Moga vide order dated 04.09.2018.

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 tenancy relates back to the year 1985 and as such, some reasonable time be granted to enable the petitioner/tenant to make alternate arrangements and to vacate the demised premises. Counsel further submits that the tenant would clear the arrears of rent, if any, at the rate of Rs.250/- per month and would also be willing to pay a future rent at the rate of Rs.1000/- 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 petitioner/tenant 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.

5. 12 months time commencing w.e.f. 01.11.2018 is granted to the petitioner/tenant for making alternate arrangements and to vacate the premises in question subject to his furnishing an undertaking on or before 31.10.2018 before the learned Rent Controller, Moga that actual, physical and 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, if any, at the rate of Rs.250/- per month have been cleared upto 31.10.2018 and the petitioner/tenant shall pay future rent at the rate of Rs.1000/- 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 the eviction forthwith with police help and without recourse to any other remedy besides the petitioner/tenant making himself liable to contempt proceedings.

6. Petition is dismissed in the aforesaid terms.

08.10.2018*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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