

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

CR no.6919 of 2018

Date of Decision: 13.11.2018

Som Nath

...Petitioner

Vs.

Tarsem chand and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Ravish Bansal, Advocate, for the petitioner.
Mr. D.S. Malwai, Advocate, for respondent no.1.

Amol Rattan Singh, J (Oral)

After arguing for some time, when this Court was not inclined to interfere with the judgments of the learned courts below, ordering the eviction of the petitioner from the demised premises belonging to respondent no.1 herein, learned counsel for the petitioner submits that he has taken instructions from the petitioner that he would like to withdraw the present petition, if 6 months' time is granted to him to vacate the premises.

Learned counsel for respondent no.1, on the other hand, submits that even the rent which was earlier being paid has not been paid to the respondents since the eviction of the petitioner was ordered by the Rent Controller on 05.04.2014.

Consequently, this petition is ordered to be dismissed as withdrawn, and subject to the condition that the petitioner pays the entire arrears of rent due (at the rate at which it had been paid earlier), within two months from today, by way of a deposit in the savings bank account of the

first respondent, he would not be evicted from the premises till May 13, 2019, subject further to the said rent being continued to be paid till the petitioner vacates the premises.

It is made clear that if the arrears of rent up till January 1, 2019 are not deposited by January 13, 2019, the interim protection granted to the petitioner would stand vacated w.e.f. 14.01.2019. However, if the said rent is paid, he would not be evicted till May 14, 2019, after which he would be immediately evicted from the demised premises, if he does not vacate on his own.

An undertaking by the petitioner to the aforesaid effect shall be filed before the Rent Controller within a week.

13.11.2018
vcgarg/dinesh

(Amol Rattan Singh)
Judge

Whether speaking/reasoned : Yes
Whether reportable : Yes