

**Sr. No.116
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CR No.6990 of 2018 (O&M)
Date of Decision: 12.10.2018**

Ved Parkash

...Petitioner

Versus

Gopal Krishan and others

... Respondents

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

Present:- Mr. G.S.Madaan, 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. Shop bearing Municipal Unit No.V-1650, situated at G.T.Road, Khanna on the ground of “bonafide personal necessity” vide order dated 23.10.2017 passed by the Rent Controller, Khanna and the findings having been affirmed by the Appellate Authority, Ludhiana vide order dated 27.08.2018.

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 tenancy relates back to a long period i.e. more than 03 decades and as such a reasonable time be

granted to enable the petitioner/tenant to make alternate arrangements.

Counsel further adverts to an order dated 20.03.2014 whereby provisional rent @ Rs.12 per month had been assessed and a sum of Rs.2208/- towards arrears for the period December 1998 to March, 2014 had been assessed, apart from interest of Rs.1021/- and costs of Rs.1000/-. It is contended that such amount assessed and determined by the Rent Controller vide order dated 20.03.2014 was duly tendered by the petitioner. Counsel further submits that tenant would clear the arrears of rent, if any, at the rate so determined by the Rent Controller and would also be willing to pay future rent @ Rs.2000/- 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 respondent(s)/landlord so as to avoid unnecessary delay and also to avoid the burden of litigation expenses upon the landlord.

In view of the above, instant appeal is dismissed as not pressed.

12 months' time commencing w.e.f. 01.11.2018 is granted to the petitioner/tenant for making alternate arrangements and to vacate the demised premises subject to his furnishing an undertaking on or before 31.10.2018 before the Learned Rent Controller, Khanna 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 determined by the Rent Controller have been cleared till 31.10.2018 and the petitioner/tenant shall pay future rent @ Rs.2000/- per month w.e.f. 01.11.2018 to 31.10.2019 by the 10th of each calender month.

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 other remedy besides the petitioner/tenant making himself liable for contempt proceedings.

Petition is disposed of in the aforesaid terms.

12.10.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No