

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

CR No. 702 of 2018

Date of decision:- 05.02.2018

Smt. Ram Murti and ors

...Petitioner

Versus

Ashok Kumar and Ors

...Respondent

BEFORE: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Akash Deep,Advocate,
for the petitioner.

RITU BAHRI J. (Oral)

Petitioner (tenant)-Smt.Ram Murti has filed the present civil revision against the findings recorded by Ld. Rent Controller, Sangrur and the Appellate Authority, Sangrur, vide orders dated 17.03.2015 and 14.11.2017, respectively for ejectment of respondents under Section 13 of the East Punjab Urban rent Restriction Act, 1949, whereby she has been ordered to be evicted from the demised premises i.e. shop situated at Mandi Gali, Sangrur, on ground of “personal necessity”.

A perusal of the impugned order(s) show that demised shop was taken by the tenant on rent @ Rs. 45/- per month from Nirmal Devi and as such, there was relationship of landlady and tenant between Nirmal Devi and as such, there was relationship of landlady and tenant between Nirmal Devi and Gopal Dass. The original owner Nirmala Devi vide sale deed No. 2978 dated 12.12.2003 had sold the shop in question to the respondent/petitioner-Ashok Kumar. Therefore the respondent has become the owner of the property including the shop in dispute and wanted to vacate his shop on the ground of personal necessity.

It is also not in dispute that the tenancy is since the year of 2003.

It is further submitted that petitioner (tenant) is running the business in the demised premises.

After arguing at length and having failed to convince the court on merits, learned counsel for the petitioner (tenant) wishes to withdraw the present revision petition provided some reasonable time may be granted to relocate subject in order to clear all the arrears of rent at the determined rate of rent.

In view of nature of the order being passed, it is not felt necessary to issue notice to the respondent/landlord so as to avoid delay in the matter and to save him from unnecessary litigation expenses.

The prayer being reasonable, is accepted.

Accordingly, this petition is dismissed as withdrawn, however, one year time commencing w.e.f. 05.02.2018 is granted to the petitioner-tenant for making alternative arrangement, subject to furnishing an undertaking on or before 28.02.2018 before the court of learned Rent Controller, Sangrur that she shall hand over actual physical vacant possession of the demise premises (shop) to the respondent/landlord by 05.03.2019. The undertaking shall also state that she has cleared all arrears of rent and shall continue to pay future rent w.e.f. 01.03.2018 at the rate of Rs. 7000/- per month by 10th of each calender month.

Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek his eviction forthwith with police help, if necessary, without recourse to any other remedy besides the petitioner-tenant making himself liable in contempt proceedings.

05.02.2018

Riya Grover

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable : No