

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CR-7239-2018 (O&M)
Date of Decision: 25.10.2018

Vinod Kumar

--Petitioner

Versus

Amrik Singh & another

--Respondents

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

Present:- Mr. Vijay Lath, 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 shown as red in the site plan attached along with the rent petition and forming part of House No. 102, Gurjit Nagar, Jalandhar on the ground of bonafide personal necessity vide order dated 31.3.2017 passed by the Rent Controller, Jalandhar and findings having been affirmed by the Appellate Authority, Jalandhar vide order dated 26.9.2018.

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 the tenancy relates back to the year 1996 and as such, a reasonable time may be granted to enable the petitioner/tenant to make alternate arrangements to continue with the business operations that the tenant was indulging in while as a tenant in the demised premises. Counsel further submits that the tenant would clear the entire arrears of rent @ Rs.1700/- per month and would also be willing to pay a future rent @ Rs.3,000/- per month for the time 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 respondents/landlords so as to avoid unnecessary delay as also to avoid burden of litigation expenses upon the respondents.

In view of the above, the instant petition is dismissed as not pressed. Fourteen 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 30.11.2018 before the learned Rent Controller, Jalandhar that actual, physical, vacant possession of the demised premises would be handed over to the respondents/landlord by 31.12.2019. The undertaking shall also state that the entire arrears of rent, if any, @ Rs.1700/- per month have been cleared till 31.10.2018 and that rent for the month of November, 2018 has been paid @ Rs.3,000/-. Furthermore, undertaking shall also state that the petitioner would pay future rent @ Rs.3,000/- per month w.e.f. 1.12.2018 till 31.12.2019 by the 10th of each calendar month.

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

Petition is dismissed in the aforesaid terms.

Pending application(s), if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

25.10.2018
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No