

In the High Court of Punjab and Haryana at Chandigarh

**CR-7354 of 2018(O&M)
Date of Decision: 20.12.2018**

Ram Avtar

---Petitioner

versus

Purshottam Dass

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Yogesh Goyal, Advocate
for the petitioner**

**Mr. Amit Prashar, Advocate,
for the caveator-respondent**

Rekha Mittal, J.

The present petition has been directed against order dated 28.8.2018 passed by the Appellate Authority, Bhiwani whereby appeal preferred by Purshottam Dass, respondent-petitioner against order passed by the Rent Controller dismissing the application for eviction was allowed and the petitioner has been directed to vacate the tenancy premises within three months from the date of order.

Counsel for the petitioner, after arguing at length, would state that he does not press the petition on merits but he may be given reasonable time to vacate and hand over vacant possession of tenancy premises to the respondent-landlord after making arrangement of alternative accommodation to re-locate himself.

Counsel for the respondent has got no objection if the petitioner is given sometime to make arrangement of alternative accommodation.

In view of the above, the order passed by the Appellate Authority is affirmed, subject, however, to the following conditions:-

1. The petitioner shall hand over vacant possession of the tenancy premises to the respondent-landlord on or before 31.8.2019.
2. The petitioner shall furnish an undertaking before the Rent Controller, Bhiwani within a period of 15 days to the effect that he shall hand over vacant possession of tenancy premises on or before 31.8.2019.
3. The petitioner shall deposit arrears of rent upto 31.8.2019 within a period of two months by way of demand draft in the name of respondent, with the Rent Controller concerned.

Failure of the petitioner to comply with either of the aforesaid conditions would entitle the respondent to execute the eviction order forthwith, if not executed till date.

(Rekha Mittal)
Judge

20.12.2018

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No