

Civil Revision No. 7878 of 2018 (O&M)

Date of decision : November 20, 2018

Salochana Devi

.....Petitioner

Versus

Amravati

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Bhupinder Ghai, Advocate
for the petitioner.

LISA GILL, J.

This petition has been filed challenging judgment and decree dated 15.05.2018 passed by the learned Rent Controller, Fatehgarh Sahib whereby eviction of the petitioner from the residential house in question has been directed. Appeal filed by the petitioner has also been dismissed by the learned Appellate Court vide judgment dated 22.10.2018.

Learned counsel for the petitioner at the outset submits that he has instructions not to press this petition on merit. However, it is submitted that some time be afforded to the petitioner to make arrangements for alternate premises. The petitioner, it is submitted, undertakes to hand over vacant peaceful possession of the demised premises within the time as may be afforded to her alongwith deposit of arrears of rent, if any, and would be liable to deposit the rent for the period she remains in occupation of the demised premises.

Keeping in view the stand of the petitioner, it is considered appropriate to dispose of this petition without issuance of notice to the respondent in order to obviate any delay and to avoid the burden of unnecessary litigation expenses upon the respondents.

In the facts and circumstances of the case and the limited prayer addressed by learned counsel for the petitioner, this revision petition is dismissed. However, the petitioner is permitted to retain possession of the residential house in question for a period of four months from today, subject to the petitioner submitting a specific undertaking before the learned Executing Court on or before 29.11.2018 .(i.e. the date fixed before the Executing Court) to the effect that she would hand over the vacant peaceful possession of the premisses in question to the respondent – landlord on or before 31.03.2019. The petitioner shall deposit arrears of rent, if any, on or before 29.11.2018 alongwith the undertaking that she would deposit the rent for the next four months by 7th of each month. It shall be specifically stated in the undertaking that vacant, peaceful possession of the demised premises shall be handed over by the petitioner to the respondent on or before 31.03.2019 and the rent etc. shall be deposited as mentioned above.

In case, the said undertaking is not submitted on or before 29.11.2018 or in case of any violation of the aforesaid terms the landlord shall be entitled to seek eviction forthwith with police help and without recourse to any remedy besides the petitioner – tenant making herself liable to contempt proceedings.

November 20, 2018

rts

(Lisa Gill)
Judge

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No