

Civil Revision No. 7905 of 2018 (O&M)

Date of decision : November 21, 2018

Surinder

.....Petitioner

Versus

Surinder Kumar and others

....Respondents

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

LISA GILL, J.

This petition has been filed challenging judgment dated 20.03.2017 passed by the learned Rent Controller, Jalandhar as well as judgment dated 27.10.2017 passed by the learned Appellate authority, Jalandhar. Eviction of the petitioner – tenant from the premises in question has been ordered by the learned Rent Controller and the said decision has been upheld by the learned Appellate Authority.

Learned counsel for the petitioner at the outset submits that he has instructions not to press this petition on merit. It is, however, submitted that the petitioner and husband of the petitioner - Mohan Lal (since deceased) were running their business in the demised premises since about the year 1995, therefore, some reasonable 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, within two weeks and would also 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 respondents in order to obviate any further 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 demised property till 31.03.2019, subject to the petitioner as well as her two sons and daughter (who are arrayed as proforma respondents in this petition) submitting a specific undertaking before the learned Executing Court to the effect that the vacant peaceful possession of the premises in question shall be handed over to the respondent – landlord on or before 31.03.2019. The petitioner and respondents No. 2 to 4 shall deposit arrears of rent, if any, and future rent for the period in question 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 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 within a period of two weeks from the date of receipt of certified copy of this order 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 21, 2018
rts

(Lisa Gill)
Judge

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