

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

**C.R. No. 8690 of 2017
Date of decision : 29.01.2018**

Preet Pal Singh @ Jagtar Singh ...Petitioner

versus

Dharam Pal Bindra ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

RITU BAHRI, J. (Oral)

Petitioner (tenant)- Preet Pal Singh @ Jagtar Singh has filed the present civil revision against the findings recorded by Ld. Rent Controller, Yamuna Nagar at Jagadhri and the Appellate Authority, Yamuna Nagar at Jagadhri, vide orders dated 20.01.2016 and 01.11.2017, respectively, whereby he has been ordered to be evicted from the demised premises, situated in front of House NO. 2401, Civil Lines, Jagadhri, Opposite JESCO Power House Jagadhri on ground of “personal necessity”.

A perusal of the impugned order(s) show that the landlord (respondent herein) wanted to get the shop vacated on two grounds i.e. (i) for expanding his business and, (ii) the petitioner has failed to pay arrears of rent w.e.f 01.01.2010 to 30.06.2012 @ Rs.800/- per month. The respondent-landlord has proved that he had three shops out of which one shop is in his possession in which he is running the business of Atta Chakki.

The adjoining shop is the shop in dispute under the tenancy of the petitioner. The third shop adjoining the shop in dispute was sold by the landlord to the petitioner.

It is also not in dispute that the tenancy is since the year of 1987.

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 Accordingly, this petition is dismissed as withdrawn, however, eight months' time commencing w.e.f. 29.01.2018 is granted to the petitioner-tenant for making alternative arrangement, subject to his furnishing an undertaking on or before 16.02.2018 before the court of learned Rent Controller, Yamuna Nagar at Jagadhari that he shall hand over actual physical vacant possession of the demise premises (shop) to the respondent/landlord by 15.10.2018. The undertaking shall also state that he has cleared all arrears of rent and shall continue to pay future rent at the rate of Rs. 2000/- 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.

29.01.2018
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>