

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

127 (2 cases)

Date of Decision : 19.03.2018

1) RSA-957-2018 (O&M)

Chander Hass and another Appellants

Versus

Karnail Singh Respondent

2) RSA-958-2018 (O&M)

Chander Hass and another Appellants

Versus

Karnail Singh Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ravinder Malik(Ravi), Advocate
for the appellants-tenants.

Mr. Ashutosh Kaushik, Advocate
for the respondent-landlord.

AJAY TEWARI, J. (Oral)

Both these appeals are decided by the common order. These appeals have been filed against the concurrent judgments of the courts below decreeing a suit for possession filed by the respondent.

On 12.03.2018 the following order was passed:-

“After arguing for some time learned counsel states that he does not wish to press this appeal on merits but the fact is that the appellants have built their own house in land in dispute and may be given some time to demolish the construction and take away those objects which may still be useful. There is merit in this argument. However, I find that

as per the decree of the trial Court a sum of Rs.44,000/- is due from the appellants towards the respondent for mesne profits with effect from August 2014 to February 2018. Additionally, I would have to make some allowances to the fact that respondent would have to engage a counsel. Notice of motion is issued subject to the appellants deposit a sum of Rs.58000/- in the Executing Court on or before 17.2.2018 to be disbursed to the respondent. Let the respondent be served by way of dasti process through counsel in the Executing Court. In case the appellants deposited an amount of Rs. 58000/-, the Executing Court is directed the adjourn the case beyond that date given by this Court.

Notice of motion for 12.3.2018.

To be shown in the urgent list.

A photocopy of this order be placed on the file of connected case(s).”

Today after taking instructions from their respective clients, counsel for the parties have agreed to the following terms:-

“i) The appellants-tenants shall hand over the vacant possession of the property in dispute to the respondent-landlord on or before 30.09.2018.

ii) The appellants-tenants will also deposit the sum of Rs.60,000/- for use and occupation up to that date before the Executing Court on or before 30.04.2018.

iii) The appellants-tenants would also furnish an undertaking before the Executing Court to the effect that they would hand over the vacant possession of the premises in dispute to the respondent-landlord on or before 30.09.2018.”

Consequently, these two appeals are disposed of in the above terms.

Since the mains cases have been decided, the pending civil miscellaneous application, if any, also stands disposed of.

March 19, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No