

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Civil Revision No. 2475 of 2004(O&M)

Date of Decision: July 04 , 2019.

Surjit Singh

..... PETITIONER (s)

Versus

Dr. Atul Khanna

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Arun Jain, Senior Advocate with
Mr. Akash Deswal, Advocate
for the petitioner.

Mr. Prateek Gupta, Advocate
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This petition has been filed by the petitioner (tenant) challenging order dated 05.03.2004 passed by learned Appellate Authority, Patiala, whereby judgment dated 14.01.2003 passed by the learned Rent Controller, Patiala dismissing the respondent-landlord's petition under Section 13 of the East Punjab Urban Rent Restriction Act for ejectment of the petitioner from demised premises, has been set aside. Consequently, the landlord's petition was allowed and ejectment of the petitioner ordered.

The petitioner, duly identified by his counsel, is present in Court today. Learned counsel for the petitioner-tenant, on instructions submits that the petitioner does not press this petition on merits, however, he prays for some time to make alternate arrangements and handover the vacant peaceful possession of the premises in question. The petitioner, it is submitted, may be permitted to retain the demised premises till then.

Respondent-landlord, duly identified by his counsel, is also present in Court.

The parties have agreed that the petitioner be permitted to retain possession of the demised premises for a period of ten months from today. He shall handover the vacant, peaceful possession of the premises in dispute on or before 05.05.2020. It is further agreed that the arrears of rent, if any, shall be waived off by the respondent-landlord. It is further agreed that the respondent-landlord shall not seek the payment of rent for the remaining period as well.

Keeping in view the facts and circumstances of the case as well as the specific stand of both the parties, this petition is dismissed as not pressed. However, the petitioner-tenant is entitled to retain possession of the demised premises till 05.05.2020, subject to his furnishing a specific undertaking before the learned Executing Court/Rent Controller, Patiala within one week of the receipt of certified copy of this order, to the effect that he shall handover the vacant, peaceful possession of the property in question to the respondent-landlord on or before 05.05.2020.

It is made clear that in case, the said undertaking is not furnished by the petitioner within a period of one week from the date of receipt of certified

copy of this order or in case of any violation of the aforesaid terms, the respondent-landlord shall be entitled to seek eviction of the petitioner from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioner – tenant making himself liable to contempt proceedings.

July 04 , 2019.
'om'

(LISA GILL)
JUDGE

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