

220(2 cases)

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

1. **CR-2808-2015 (O&M)**
Date of Decision: October 01, 2019

Makhan Singh		Petitioner
	Versus	
Balwinder Singh		Respondent

2. **CR-3607-2015 (O&M)**

Makhan Singh		Petitioner
	Versus	
Harnam Singh		Respondent

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.S.S.Salar, Advocate
for the petitioner.
Mr.R.S.Pandher, Advocate
for the respondents.
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NIRMALJIT KAUR, J. (ORAL)

This order shall dispose of the above captioned revision petitions as the point in issue involved in both the cases is common in nature.

After learned counsel for the parties were heard and when this Court was about to pass the order, learned counsel for the respondents, on instructions from respondent-Balwinder Singh as respondent-Harnam Singh has since died, submitted that they shall have no objection in case the revision petitions are allowed in favour of the petitioner-landlord but time be granted to them to vacate the premises.

Learned counsel for the petitioner, on instructions, states that he has no objection to the granting of time of one year, as requested by learned counsel for the respondents.

In view of the above statement made by learned counsel for the parties and the agreed position, the above mentioned revision petitions are allowed. The orders, dated 05.02.2015 passed by the Appellate Authority are set aside and the orders dated 25.05.2013 (in CR-2808-2015) as well as 28.03.2014 (in CR-3607-2015) passed by the Rent Controller are up-held. However, the respondents herein shall be allowed to retain the possession of the shops in question and shall not be evicted on or before 01.10.2020 subject to the undertaking by respondent-Balwinder Singh qua both the shops which are subject matter in the present revision petitions, within one month from today, i.e. on or before 01.11.2019 before the Rent Controller and also subject to the payment of arrears of the rent, if any, on or before 01.11.2019. The respondent shall also continue to pay the monthly rent regularly. In case the respondents do not give an undertaking within one month, the petitioner will be at liberty to initiate execution proceedings and will also be at liberty to avail the remedy of contempt. In case the respondents do not vacate the premises within one year, i.e. on or before 01.10.2020 in spite of the undertaking, then too, the petitioner will be at liberty to initiate execution proceedings for eviction immediately after expiry of the period and shall also be at liberty to file the contempt.

Hence, both the revision petitions are allowed in the above terms.

October 01, 2019
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(NIRMALJIT KAUR)
JUDGE

- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

Yes/No
Yes/No