

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CR 2531 of 2017 (O&M)
Date of decision: 30.01.2019

Sarvesh Arora

.....*Petitioner*

versus

Savitri Devi

.....*Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present : Mr. R S Pandher, Advocate
for the petitioner

Mr. D P Gupta, Advocate
for the respondent

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Rekha Mittal, J. (Oral)

The present petition directs challenge against concurrent finding of facts whereby the petitioner/tenant has been ordered to be evicted from the tenancy premises, detailed in head note of the eviction application on the ground of personal necessity of the respondent/landlord vide order dated 30.03.2015 passed by the Rent Controller, Ludhiana that has been affirmed in appeal.

After arguing for sometime, counsel for the petitioner would state that he does not press the petition on merit but the petitioner may be given reasonable time to enable him to complete his building under construction and relocate himself in the said building. He would further state that the petitioner is ready to pay rent/use and occupation charges at the rate of Rs.14,000.00 per month with effect from 01.02.2019 till the time given by this Court for vacation of the premise in question.

Counsel for the respondent/landlord has got no objection if the

petitioner is given time till 31.12.2019 for vacation of the premises.

In view of the above, the eviction order passed by the Rent Controller, Ludhiana and affirmed in appeal is confirmed subject, however, to the following conditions:-

- i) the petitioner shall hand over vacant possession of the tenancy premises to the respondent on or before 31.03.2020;
- ii) the petitioner shall furnish an undertaking before the Rent Controller, Ludhiana within a period of fifteen days from today to the effect that he will hand over vacant possession of the tenancy premise on or before 31.03.2020;
- iii) the petitioner shall pay arrears of rent upto 31.01.2019 at the rate of Rs.10,500.00 by way of demand draft in the name of respondent within a period of fifteen days; and
- iv) the respondent shall pay rent/use and occupation charges at the rate of Rs.14,000.00 per month with effect from 01.02.2019 till 31.03.2020 by way of demand draft in the name of respondent, within a period of two months from today.

Failure of the petitioner to comply with either of aforesaid conditions would entitle the respondent/landlord to seek execution of the eviction order forthwith.

(Rekha Mittal)
Judge

30.01.2019
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