

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CR-276-2018 (O&M)

Date of Decision: May 13, 2019

Maya Devi and others

Petitioners

Versus

Lajpat Rai

Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sunil Agnihotri, Advocate
for the petitioners.

Mr. T.S. Hundal, Advocate
for the respondent.

Petitioner No.1-2 and respondent in person.

JAISHREE THAKUR, J. (Oral)

This is a revision petition has has been filed under Section 13-B of the East Punjab Rent Restriction (amended) Act, 2001 for ejectment of the petitioner-tenant from the shop as described in the eviction petition.

The Rent Controller, Dasuya by order dated 02.08.2017 ordered ejectment which order has been impugned in this revision petition. During the pendency of these proceedings in the High Court, the matter stands compromised between the parties and it has been agreed between the parties that the petitioners herein would vacate the premises by 13.10.2019 with a further undertaking that in case the said premises are not vacated on or before 13.10.2019, the respondents would be at liberty to take legal course for the same and she would be liable to pay the respondents double the sum

of ₹2,50,000/-. She also acknowledges that on account of the compromise she has received an amount of ₹1,25,000/- i.e. ₹ 25000/- in cash and ₹1 Lac in the form of a demand draft bearing no. 007805 dated 13.05.2019 drawn on IDBI Bank, Sector 43, Chandigarh. Affidavit has been filed on behalf of Mr. Gurdeep Singh Saini, son of the landlord who states that they have no objection in case the petitioners continues to reside in the premises till 13.10.2019 and further stating that his father would not claim any arrears of rent of the demised premises from the petitioner.

I have heard learned counsel for the parties as well as the parties who are present in Court today. In view of the fact that the compromise has been arrived between the parties, the eviction is hereby confirmed, however, as per the undertaking given in the Court by the petitioners in the form of an affidavit, the petitioners would vacate the premises in dispute on or before 13.10.2019 and hand over the vacant possession of the same to the landlord. in case she does not adhere to the terms of the affidavit filed, the respondent would be at liberty to initiate the proceedings for her ejectment as well as would be entitle to claim the settled amount of ₹2,50,000/-.

The petition stand disposed of.

May 13, 2019
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No