

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

**Civil Revision No. 3384 of 2013(O&M)**

**Date of Decision: July 02 , 2019.**

Umardin and another

..... PETITIONER (s)

**Versus**

Shromani Jain

..... RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Ms. Bhanvi Sood, Advocate and  
Mr. Aditya Jain, Advocate  
for the petitioners.

Mr. Pankaj Jain, Advocate  
for the respondent.

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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?

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**LISA GILL, J.**

This petition has been filed challenging orders dated 29.02.2012 and 29.04.2013 passed by the learned Additional Civil Judge (Senior Division), Gurgaon and learned Appellate Authority, Gurgaon, respectively, whereby ejectment of the petitioners from demised premises has been ordered.

Learned counsel for the petitioners-tenants, after arguing for some time, prayed for a pass-over to seek instructions from the petitioners. It is submitted that she has specific instructions from the petitioners to state that the

petitioners do not wish to pursue this petition on merits, but they seek some time to make alternate arrangements. The petitioners, it is submitted, may be permitted to retain the demised premises till then. The petitioners undertake to regularly pay the rent for the period they are permitted to retain possession of the demises premises.

Learned counsel for the respondent-landlord, on instructions from his client, submits that he has no objection to the petitioners retaining possession of the premises for a period of six months, provided they hand over the vacant, peaceful possession thereof after the expiry of the said period. It is further agreed that the arrears of rent shall be waived off by the respondent, however, at the same time the petitioners shall deposit the rent for the period of the said six months for which they are permitted to retain the premises i.e., till 02.01.2020.

In this view of the matter, learned counsel for the petitioners submits that she does not press this petition on merits, but time as mentioned above, be afforded to vacate the premises.

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 petitioners are entitled to retain possession of the demised premises till 02.01.2020, subject to their furnishing a specific undertaking before the learned Executing Court/Rent Controller, Gurgaon within one week of the receipt of certified copy of this order, to the effect that they shall handover the vacant, peaceful possession of the property in question to the respondent-landlord on or before 02.01.2020 in view of the settlement arrived at between the parties. Till then, the petitioners shall continue to pay the agreed rent by the 7<sup>th</sup> of each

calendar month.

It is made clear that in case, the said undertaking is not furnished by the petitioners 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 petitioners from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioners – tenants making themselves liable to contempt proceedings.

July 02 , 2019.  
'om'

( LISA GILL )  
JUDGE

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