

CR No.3778 of 2015 (O&M) 1

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

**CR No.3778 of 2015 (O&M)
Date of Decision: 05.09.2019**

Ashish Garg

..... Petitioner

Versus

Hem Malhotra

..... Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr.Sandeep Wadhawan, Advocate
 for the petitioner.

 Mr.Abhinav Gupta, Advocate
 for the respondent.

LISA GILL, J.(oral)

 This revision petition has been filed by the petitioner, challenging order dated 03.09.2014, passed by the learned Rent Controller, Panchkula as well as order dated 22.04.2015, passed by the learned Appellate Authority, Panchkula.

 After arguing the matter at length, learned counsel for the petitioner, on instructions from the petitioner-Ashish Garg, who is present in Court, submits that he does not press this petition on merits. Some reasonable time is sought to make alternate arrangements. Learned counsel for the petitioner further submits that the petitioner may be permitted to retain possession of the premises in

question till 31.05.2020 to make arrangements for alternate accommodation and hand over vacant, peaceful possession of the property in question. The petitioner undertakes to clear any arrears of rent/*mesne* profit and also undertakes to regularly pay the rent/*mesne* profit for the period he retains possession of the demised premises.

The respondent-Hem Malhotra, duly identified by his counsel is present in Court. The parties have conferred amongst themselves along with their learned counsel.

Learned counsel for the parties submit that it is agreed between the parties, that the petitioner shall handover the vacant, peaceful possession of the demised premises on or before 31.05.2020 subject to payment of arrears of rent at the rate of ₹11,000/- per month. It is further agreed between the parties that from the month of September 2019 onwards till the time he retains possession of the premises upto 31.05.2020, the petitioner shall pay rent/*mesne* profit at the rate of ₹20,000/- per month on or before the 10th of each calender month.

Keeping in view the facts and circumstances of the case and specifically the stand of the parties, this petition is dismissed as not pressed. The petitioner is, however, permitted to retain possession of the demised premises till 31.05.2020, subject to the petitioner submitting a specific and categoric undertaking before the learned Rent Controller, Panchkula to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 31.05.2020. Furthermore, he shall deposit arrears of rent, if any, within four weeks from today and shall continue to pay the agreed rent till 31.05.2020 by the 10th of each calender month. This undertaking

shall be submitted by the petitioner within one week from receipt of certified copy of this order.

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.

Pending applications, if any, accordingly stand disposed of.

05.09.2019
s.khan

(Lisa Gill)
Judge

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No