

CR No. 4288 of 2015 (O&M)

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

CR No. 4288 of 2015 (O&M)

Date of Decision: September 13, 2019

Jaswinder Singh

..... Petitioner(s)

Versus

Chand Bahadur Saxena through his LRs Dheeraj Saxena and Neeraj Saxena

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ashish Verma, Advocate
for the petitioner.

Mr. Varun Jain, Advocate
for the respondent.

LISA GILL, J.(oral)

This revision petition has been filed challenging orders dated 02.08.2014 and 08.05.2015, passed by the learned Rent Controller, Patiala and the learned Appellate Authority, Patiala, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, filed by the respondent-landlord has been allowed and ejectment of the petitioner has been ordered.

The petitioner as well as Dheeraj Saxena and Neeraj Saxena (legal representatives of respondent/landlord - Chand Bahadur Saxena), duly identified by their counsel are present in Court.

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Learned counsel for the petitioner on instructions from the petitioner, who is present in Court, submits that he does not press this petition on merits, however, the petitioner be permitted to retain possession of the premises in question till 31.03.2020 to make arrangements for alternate accommodation and hand over vacant, peaceful possession of the property in question. The petitioner undertakes to clear arrears of rent/mesne profit, if any, and also undertakes to regularly pay the rent/mesne profit for the period he retains possession of the demised premises.

Learned counsel for the respondent-landlord on instructions submits that the respondents have no objection in case the petitioner is permitted to retain possession of the demised premises till 31.03.2020 provided he undertakes to hand over vacant, peaceful possession of the same by the said date.

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 31.03.2020, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Patiala to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 31.03.2020. Furthermore, he shall deposit arrears of rent, if any, within four weeks from today and shall continue to pay the rent till 31.03.2020 by the 10th of each calendar month. This undertaking shall be submitted by the petitioner before the learned Rent Controller, Patiala within one week of receipt of certified copy of this order.

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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.

September 13, 2019

Sunil

(Lisa Gill)
Judge

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