

CR No. 4809 of 2018 (O&M)

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

CR No. 4809 of 2018 (O&M)

Date of Decision: April 03, 2019

**Gaurcharan Singh Bagha
Versus**

..... Petitioner(s)

Harbans Singh and another

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Varun Sharma, Advocate
for the petitioner.

Mr. Nimanyu Gautam, Advocate
for the caveator/respondent no.1.

LISA GILL, J.(oral)

This revision petition has been filed challenging orders dated 28.07.2017 and 01.05.2018, passed by the learned Rent Controller, Jalandhar and the learned Appellate Authority, Jalandhar, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, filed by the respondent-landlords has been allowed and ejectment of the petitioner has been ordered.

Learned counsel for the petitioner submits that this petition is not pressed on merits, however, the petitioner may be afforded one year to hand over vacant, peaceful possession of the property in question.

Learned counsel for the respondent-landlords, on instructions, submits that the respondents/landlords have no objection in case the petitioner is permitted to retain possession of the demised premises for a

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period of one year provided he undertakes to hand over vacant, peaceful possession of the same on expiry of the said period.

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, however, is 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, Jalandhar to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondents-landlords 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 agreed rent till 31.03.2020 by 10th of each calendar 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-landlords 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.

April 03, 2019

Sunil

(Lisa Gill)
Judge

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No