

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

Civil Revision No. 5911 of 2017(O&M)

Date of Decision: November 06 , 2019.

Ashok Kumar Bhatia

..... PETITIONER(s)

Versus

Amar Nath Bhatia

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Junaid Singh, Advocate and
Mr. Aditya Jain, Advocate
for the petitioner.

Mr. Harsh Aggarwal, Advocate
for the respondent.

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?

LISA GILL, J.

This petition has been filed by the petitioner (tenant), challenging judgment dated 28.10.2015 passed by the learned Rent Controller, Faridabad as well as order dated 10.08.2017 passed by the learned Appellate Authority, Faridabad whereby the respondent-landlord's petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 was allowed and ejectment of the petitioner from demised premises has been ordered.

Vipul Bhatia, son of the petitioner-Ashok Kumar Bhatia, duly identified by his counsel, is present in Court. He submits that his father could not come present in Court as he is indisposed, but he is authorized to make a statement on behalf of his father.

Respondent-Amarnath Bhatia, duly identified by his counsel, is present in Court.

It is informed that the matter has been amicably resolved between the parties. The parties have agreed that the petitioner shall be permitted to retain possession of the demised premises for a period of one month. He shall handover the vacant, peaceful possession of the premises, in question, on or before 06.12.2019. Respondent-landlord has agreed not to press for the arrears of rent and mesne profits which are/may be due from the petitioner since October 2015 or before, till date, though it is submitted that dues, if any, towards the electricity and water charges for premises shall be cleared by the petitioner and a copy of its receipt furnished to the landlord.

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 petitioner is entitled to retain possession of the demised premises till 06.12.2019, subject to his furnishing a specific undertaking before the learned Rent Controller/executing court within one week of receipt of a certified copy of this order, to the effect that he shall handover the vacant, peaceful possession of the property in question to the respondent-landlord on or before 06.12.2019 in view of the settlement arrived at between the parties and dues, if any, towards electricity and water charges for the premises, shall be cleared by

the petitioner within three weeks from today. A copy of the receipt thereof, issued by the department shall be handed over to the respondent-landlord. Needless to say, the landlord shall not press for arrears of rent/mesne profits, if any, in view of their settlement.

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.

November 06 , 2019.
'om'

(**LISA GILL**)
JUDGE

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