

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

Civil Revision No. 6471 of 2018(O&M)

Date of Decision: March 14 , 2019.

Ranjit Singh

..... PETITIONER (s)

Versus

Gurjit Singh

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Mr. Navin Saini, 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 challenging ex parte decision dated 26.07.2018 (Annexure P1) passed by the learned Rent Controller, SAS Nagar whereby ejectment of the petitioner from demised premises has been ordered.

Petitioner is a tenant in the demised premises. Respondent-landlord sought eviction of the tenant on the ground that he was due to retire from the post of Lecturer on 31.03.2019.

It is informed that during the pendency of this petition, the matter

has been amicably resolved between the parties. It has been decided that vacant peaceful possession of the premises in question shall be handed over by petitioner-tenant to respondent-landlord on or before 30.06.2019. Respondent-landlord, on the other hand, has agreed to waive off the arrears of rent which are due from the petitioner and neither would the respondent press for payment of rent for the remaining period i.e., till 30.06.2019.

Petitioner as well as the respondent, duly identified by their respective counsel, are present in Court.

Petitioner states that he undertakes to handover the vacant, peaceful possession of the premises in question to the respondent-landlord on or before 30.06.2019 as per the settlement. He further submits that he shall withdraw the suit for permanent injunction instituted by him against the respondent on or before 03.04.2019 i.e., the date fixed in the said proceedings. Respondent states that he is ready and willing to permit the petitioner to retain possession of the premises as above, subject to his handing over vacant peaceful possession of the same on or before 30.06.2019. He further states that he shall not press for payment of arrears of rent as stated above.

In this view of the matter, learned counsel for the petitioner submits that he 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 petitioner is entitled to retain possession of the demised premises till 30.06.2019, subject to his furnishing a specific undertaking before the learned

Rent Controller, Chandigarh within one week of receipt of certified copy of this order, to the effect that he shall handover the vacant, peaceful possession of the property in question to the respondent on or before 30.06.2019 in view of the settlement arrived at between the parties.

Needless to say, respondent-landlord shall not raise any demand of rent/arrears of rent of the demised from the petitioner in tune with the settlement arrived at between them.

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.

March 14, 2019.
'om'

(LISA GILL)
JUDGE

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