

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

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CR-654-2017(O&M)

Date of Decision : October 18, 2019

KRISHAN ALMADI & ANR

.....Petitioners

VERSUS

SUSHIL KUMAR

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Namit Gautam, Advocate for the petitioners.

Mr. Ashwani Gaur, Advocate for the respondent.

NIRMALJIT KAUR, J. (Oral)

After arguing for some time, learned counsel for the petitioners on instructions from the petitioners submitted that he does not wish to press the revision petition.

After hearing learned counsel for the parties and going through the impugned judgments as well as the records, this Court finds that the petitioners have rightly not pressed the present rent petition. The same is, accordingly, dismissed being devoid of merit.

However, there is merit in the submission of learned counsel for the petitioners that some time be granted to the petitioners to vacate the premises. It is stated that the petitioners are residing since long and since the premises in question is commercial building, one year be granted to them to vacate the same.

Learned counsel for the respondent has no objection to the same but states that six months would be sufficient to vacate the premises.

This Court is, however, of the view that in case one year is granted to the petitioners to vacate the premises, it would meet the ends of justice. Accordingly, the petitioners will not be dispossessed on or before 31.10.2020. However, the same is subject to the undertaking to be given by the petitioners before the concerned Rent Controller within ten days from today i.e. on or before 31.10.2019. The petitioners will also liable to pay regularly the rent and mesne profits as already settled and shall also pay the arrears, if any, within the next one week. In case the petitioners fail to give the undertaking within the stipulated period, the respondent will be at liberty to proceed with the execution proceedings forthwith. In case the petitioners give the undertaking within the stipulated period but does not vacate the premises on or before 31.10.2020, the respondent will be at liberty to move execution proceedings immediately thereafter and shall also be at liberty to avail the remedy of contempt against the petitioners.

It is clarified that since the revision petition has been dismissed, the mesne profits shall be paid to the respondent-landlord alongwith the rent.

October 18, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No