

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

Civil Revision No. 6638 of 2018(O&M)

Date of Decision: May 15 , 2019.

Gulab Rai Jain

..... PETITIONER (s)

Versus

Ram Parkash

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Kashish Garg, Advocate
for the petitioner.

Mr. Deepak 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 challenging orders dated 04.08.2018 and 17.03.2018 passed by the learned Rent Controller, Bathinda and learned Appellate Authority, Bathinda, respectively, whereby ejectment of the petitioner from demised premises has been ordered.

Learned counsel for the petitioner-tenant submits that he has specific instructions to state that the petitioner does not wish to press the petition on merits. He is ready and willing to vacate the premises, in question by 31.10.2020,

however, the petitioner be permitted to retain the demised premises till the said period so that alternate arrangements can be made by him. The petitioner further undertakes to clear any arrears of rent/mesne profits, if any, and to regularly pay the rent till the period he remains in possession of the demises premises.

Learned senior counsel for the respondent-landlord, on instructions from his client, submits that he has no objection in case the petitioner is permitted to retain possession of the premises in dispute till 31.10.2020, provided he hands over the vacant, peaceful possession thereof, besides, depositing the rent/mesne profits.

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 31.10.2020, subject to his furnishing a specific undertaking before the learned Executing Court/Rent Controller, Bathinda within one week of the 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-landlord on or before 31.10.2020 in view of the settlement arrived at between the parties. Till then, the petitioner shall continue to pay the agreed rent by 7th of each month of the calendar year, besides, clearing arrears of rent/mesne profits, if any.

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.

May 15 , 2019.
'om'

(LISA GILL)
JUDGE

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