

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

**CM-10481-CII of 2019 in/and
CR no. 6812 of 2017
Date of Decision:10.05.2019**

Hem Raj

.....Petitioner

Versus

Tarsem Kumar Dogra and others

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ashish Aggarwal, Advocate
for the applicant-petitioner.

Mr. Vipin Mahajan, Advocate
for non-applicants-respondent nos.1 to 3.

LISA GILL, J.

CM-10481-CII of 2019.

Heard.

In view of the reasons mentioned in the application and the arguments addressed, hearing of the revision petition is preponed from 01.08.2019 for today itself.

Application is accordingly disposed of.

CR No. 6812 of 2017

This revision petition has been filed challenging orders dated 18.01.2016 and 10.05.2017, passed by the learned Rent Controller, Gurdaspur and the learned Appellate Authority, Gurdaspur, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, filed by the respondents-landlords has been allowed and

ejection of the present petitioner has been ordered.

Learned counsel for the petitioner, at the very outset, submits that he does not press this petition on merits, however, some reasonable time be afforded to the petitioner to shift to alternate accommodation. The petitioner, it is submitted undertakes to handover vacant, peaceful possession of the premises before lapse of the time as may be afforded to the petitioner. He would also clear the arrears of rent/*mesne* profits, if any, within one month from today. Any objections, which may have been filed by the petitioner's brother i.e., respondent no.3-Pinka @ Bal Krishan, shall also be withdrawn within two weeks.

Learned counsel for the respondents-landlords, on instructions from Atul Dogra (petitioner no.3 before the learned Rent Controller, Gurdaspur), who is present in Court, submits that the respondents-landlords have no objections, in case, the petitioner is afforded a period of four months to handover vacant, peaceful possession of the demised premises, subject to deposit of the arrears of rent/*mesne* profits etc.

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, is however, permitted to retain possession of the demised premises till 30.09.2019, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Gurdaspur to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondents-landlords on or before 30.09.2019. He shall further undertake to deposit arrears of rent, if any, within one month from today and shall continue to pay the agreed rent till 30.09.2019 by 10th of

each 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 (tenant) 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 respondents (landlords) shall be entitled to seek eviction of the petitioner (tenant) from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioner (tenant) making himself liable to contempt proceedings. Needless to say, objections, if any, filed by the petitioner/petitioner's brother, shall be withdrawn within two weeks from receipt of certified copy of this order.

10.05.2019

s.khan

[LISA GILL]
Judge

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