

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

**Civil Revision No.7636 of 2018 (O&M)
Date of Decision: January 23, 2019**

Kehar Singh (Deceased through LRs)

..... Petitioners

VERSUS

Subhash and others

..... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Harkesh Manuja, Advocate
for the petitioner.

Mr. C.B. Goel, Advocate
for respondent No.1.

JAISHREE THAKUR, J.(Oral)

The petitioner-tenant herein seeks to challenge the judgment dated 22.11.2013 and 27.09.2018 passed by the Courts below whereby the eviction petition filed by the respondent No.1 was allowed.

Notice was issued on the statement of learned counsel for the petitioner that he does not wish to press this petition on merits and prayed that since the petitioner and his father have been the tenant in the shop in dispute for the last half century, some reasonable time be granted to him to hand over the vacant possession of the shop in dispute.

On the last date of hearing, Mr C.B. Goel, Advocate appeared on behalf of the respondent No.1.

Today, learned counsel for the petitioner on instructions from the petitioner prayed that the petitioner be allowed some reasonable time for making arrangements of alternative accommodation as well as for vacating/handing over the possession of the tenanted premises to respondent No.1-landlord.

Mr. C.B. Goel, Advocate, who is present in the court on behalf of respondent No.1-landlord does not object in case, reasonable time is allowed to the petitioner-tenant to vacate the tenanted premises, subject to his depositing/clearing the entire arrears of rent upto date as well as regularly paying the rent/mesne profit as assessed by the Courts below and furnishing an undertaking to the effect that he will hand over vacant possession of the tenanted premises to respondent No.1-landlord.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 22.11.2013 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 30th June, 2019 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioner-tenant will pay/deposit the entire due rent/mesne profit upto January, 2019 within a period of two weeks.
- (ii) He will keep on paying/depositing the rent/mesne profit as assessed by the Courts below of subsequent months upto 30.06.2019 on or before 7th day of each calendar month.
- (iii) He shall file his affidavit before the Rent Controller within two weeks giving details of entire payment of rent and an undertaking to vacate

and hand over the vacant possession of the tenanted premises to respondent No.1-landlord on or before 30th June, 2019

In case, the petitioner-tenant makes default of any of the above-said terms, respondent No.1-landlord would be entitled to execute the order of eviction forthwith.

Disposed of accordingly.

23.01.2019
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No