

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

**Civil Revision No.612 of 2019 (O&M)
Date of Decision: 02.04.2019**

Mohinder Singh

..... Petitioner

VERSUS

Saranpal Singh

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Paras Talwar, Advocate, for
Mr. A.P.Kaushal, Advocate,
for the petitioner.

Mr. Nitin Sachdeva, Advocate
for the respondent.

JAISHREE THAKUR, J.(Oral)

1. This is a revision petition that has been filed seeking to challenge the order of eviction passed by the Rent Controller, Ludhiana dated 11.07.2017 as well as the order passed by the Appellate Authority, Ludhiana dated 12.11.2018.
2. After arguing for some time, learned counsel for the petitioner stresses that he would not address arguments on merits, however, sought some time to vacate the demised premises considering the fact that he has been in occupation of the same for a considerable length of time.

3. Notice of motion was issued and appearance has been caused by Mr. Nitin Sachdeva, Advocate, by filing power of attorney on behalf of the respondent, who opposes the grant of one year's time as sought by the counsel for the petitioner, however, he is not averse to six months' time being allowed to the petitioner subject to the condition that he would furnish an undertaking with the Rent Controller that he would hand over the vacant possession of the demised premises on or before 04.10.2019.

4. It is also submitted that the mesne profit as assessed have not been deposited since September, 2018 and the petitioner should be directed to deposit the same.

5. I have heard learned counsel for the parties and in view of the fact that time has been sought to vacate the demised premises, the same is allowed. It is made clear while affirming the orders of both the Rent Controller, Ludhiana as well as the Appellate Authority, Ludhiana, this petition is being disposed of by allowing the petitioner herein to retain the premises upto 04.10.2019 subject to the following conditions :-

(i) That the petitioner will file an undertaking/ affidavit before the Rent Controller within two weeks stating that he would hand over vacant possession of the tenanted premises to the respondent-landlord on or before 04.10.2019.

(ii) That the petitioner would clear all arrears of mesne profit as assessed by the Appellate Authority within a period of one

month as of date.

(iii) That he will continue to pay mesne profit on or before 7th day of each calender month.

6. In case, the petitioner-tenant fails to file undertaking/ affidavit within a period of two weeks or fails to comply with any of the conditions, the respondent-landlord would be entitled to execute the order of eviction forthwith.

Disposed of accordingly.

02.04.2019

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes.
No.