

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

**Civil Revision No.8307 of 2015 (O&M)
Date of Decision: 03.05.2019**

Naresh Kumar

..... Petitioner

VERSUS

Sudesh Sharma

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.V.K. Sandhir, Advocate,
for the petitioner.

Mr. Kanchan Jaswal, Advocate, for
Mr. Anterpreet Singh, Advocate,
for the respondent.

JAISHREE THAKUR, J.(Oral)

1. This is a revision petition that has been filed seeking to challenge the order of the Rent Controller, Amritsar dated 17.03.2015 whereby ejectment of the petitioner has been ordered from the residence described as H. No. 513, Guru Nanak Nagar, Street No. 4, V.P.O. Verka, District Amritsar, which ejectment order was subsequently affirmed by the Appellate Authority, Amritsar by order dated 05.10.2015.
2. Learned counsel appearing on behalf of the petitioner herein contends that the premises in dispute is not required by the

respondent as she had never resided in Amritsar and was residing in Mumbai right through, whereas learned counsel appearing on behalf of the respondent would contend that both the Courts below have gone into the question of the bona fide requirement of the respondent who would like to settle in her home town after retirement.

3. After arguing for some time and when this Court was not inclined to interfere in the well reasoned orders passed by the Courts below, learned counsel appearing on behalf of the petitioner seeks time to vacate the premises in order to find alternate accommodation. It is contended that he is residing in the same premises for more than 10 years and would require sufficient time (six months' time) to make alternate arrangement. Learned counsel for the respondent, however, opposes grant of six months' time by contending that sufficient time has already been availed of by the petitioner.

4. I have heard learned counsel for the parties and in view of the fact that six months' time has been sought to vacate the demised premises, the same is allowed. While affirming the orders of both the Rent Controller, Amritsar as well as the Appellate Authority, Amritsar, this petition is being disposed of allowing the petitioner herein to retain the premises upto 03.11.2019 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 03.11.2019.

(ii) That the petitioner would clear all arrears of rent as assessed by the Appellate Authority within a period of one month as of date.

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

5. 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.

03.05.2019

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.