

CR No. 8140 of 2018 (O&M)

-1-

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

CR No. 8140 of 2018 (O&M)

Date of Decision: November 15, 2019

Sarvhit Charitable Trust and others

..... Petitioner(s)

Versus

Nisha Prashar @ Nisha Dehra and others

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Anuj Kumar Sharma, Advocate
for the petitioners.

Mr. Amarjit Markan, Advocate
for the respondents.

LISA GILL, J.(oral)

This revision petition has been filed challenging orders dated 05.12.2016 and 03.10.2018, passed by the learned Rent Controller, Chandigarh and the learned Appellate Authority, Chandigarh, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949, filed by the respondents-landlords has been allowed and ejectment of the petitioners has been ordered.

Learned counsel for the petitioners, on instructions from the petitioners, submits that they do not press this petition on merits, however, the petitioners may be permitted to retain possession of the premises in question till 01.05.2020 to make arrangements for alternate accommodation

CR No. 8140 of 2018 (O&M)

-2-

and hand over vacant, peaceful possession of the property in question. The petitioners undertake to clear any arrears of rent/mesne profit and also undertake to regularly pay the rent/mesne profit for the period they retain possession of the demised premises.

Learned counsel for the respondents/landlords, on instructions from respondent no.2 - Raghubir Rai Dehra, who is present in Court, submits that the respondents/landlords have no objection in case the petitioners are permitted to retain possession of the demised premises till 01.05.2020 provided they undertake to hand over vacant, peaceful possession of the same on expiry of the said period.

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 petitioners are, however, permitted to retain possession of the demised premises till 01.05.2020, subject to the petitioners submitting a specific and categorical undertaking before the learned Rent Controller, Chandigarh to the effect that they shall hand over vacant, peaceful possession of the demised premises to the respondents-landlords on or before 01.05.2020. Furthermore, they shall deposit arrears of rent/mesne profits, if any within four weeks from today and shall continue to pay/deposit the agreed rent till 01.05.2020 by the 10th of each calendar month. This undertaking shall be submitted by the petitioners within one week from receipt of certified copy of this order.

It is made clear that in case, the said undertaking is not

CR No. 8140 of 2018 (O&M)

-3-

furnished by the petitioners 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 petitioners from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioners-tenants making themselves liable to contempt proceedings.

November 15, 2019

Sunil

**(Lisa Gill)
Judge**

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