

CR No. 8169 of 2018 (O&M)

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

CR No. 8169 of 2018 (O&M)

Date of Decision: April 09, 2019

**Parduman Singh
Versus**

..... Petitioner(s)

Sanpreet Singh

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Mr. S.S. Kharb, Advocate
for the respondent.

LISA GILL, J.(oral)

This revision petition has been filed challenging orders dated 23.07.2015 and 29.09.2018, passed by the learned Rent Controller, Karnal and the learned Appellate Authority, Karnal, respectively, whereby eviction of the petitioner-tenant from the demised premises i.e. a shop as detailed in the petition, has been ordered.

Learned counsel for the parties submit that during the pendency of this petition, the matter has been amicably resolved between the parties. It is agreed that the petitioner-tenant shall hand over vacant, peaceful possession of the premises in question to the respondent-landlord on or before 14.08.2019. Respondent-landlord has agreed to waive of the arrears of rent as well as rent which may be due to the respondent-landlord till 14.08.2019 in case, vacant, peaceful possession of the property in question is handed over to him.

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Learned counsel for the petitioner, on instructions from petitioner - Parduman Singh, who is present in Court, submits that in view of the settlement, he does not press this petition on merits, however, permission be afforded to him to retain possession of the demised premises as mentioned above.

Keeping in view the facts and circumstances of the case and the settlement between the parties, this petition is dismissed as not pressed. Petitioner is, however, permitted to retain possession of the premises in dispute till 14.08.2019, subject to the petitioner submitting a specific undertaking before the learned Executing Court, to the effect that he shall hand over the vacant, peaceful possession of the demised premises to the respondent-landlord on or before 14.08.2019. Said undertaking shall be submitted by the petitioner within one week from the receipt of certified copy of this order. Needless to say, the respondent-landlord shall not agitate for rent/arrears of rent in terms of the settlement.

It is made clear that in case, the said undertaking is not furnished by the petitioner 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 respondent-landlord shall be entitled to seek eviction of the petitioner from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioner-tenant making himself liable to contempt proceedings.

April 09, 2019

Sunil

(Lisa Gill)
Judge

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No