

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

**Civil Revision No.1289 of 2019 (O&M)  
Date of Decision: February 25, 2019**

Parveen Kohli

**..... Petitioner**

**VERSUS**

Chand Kishan

**..... Respondent**

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Anil Shanker, Advocate  
for the petitioner-tenant.

Mr. Vishal Aggarwal, Advocate  
for the caveator-respondent.

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**JAISHREE THAKUR, J.(Oral)**

The petitioner-tenant herein seeks to challenge the orders of the Rent Controller and the Appellate Authority, Chandigarh by which the eviction petition filed under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short 'the Act') has been allowed on the ground of bona fide personal necessity.

After arguing at a considerable length, learned counsel for the petitioner does not press the instant revision on merits, however, prayed that petitioner be allowed reasonable time for making arrangements of alternative accommodation as well as for vacating/handing over the possession of the tenanted premises to the respondent-landlord.

On the other hand, learned counsel for the caveator-respondent 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/mesne profits upto date as well as regularly paying the future rent and furnishing the undertaking to the effect that he will hand over the vacant possession of the tenanted premises to the the respondent-landlord, apart from giving an undertaking to withdraw the proceedings initiated by the petitioner-tenant under Section 340 of Code of Criminal Procedure (for short 'Cr.P.C.').

On this, learned counsel for the petitioner-tenant submits that the petitioner-tenant would withdraw the proceedings initiated by him under Section 340 Cr.P.C. and would also furnish an undertaking to this effect before the Rent Controller.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 04.10.2017 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 30<sup>th</sup> August 2019 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioners-tenant will pay/deposit the entire due rent/mesne profits upto March, 2019 within a period of two weeks.
- (ii) He will keep on paying/depositing the advance rent/mesne profits of subsequent months upto 30.08.2019 on or before 7<sup>th</sup> day of each calendar month.
- (iii) He will file an affidavit before the Rent Controller within three

weeks giving details of entire payment of rent/mesne profits and undertaking to vacate and hand over the vacant possession of the tenanted premises to the respondents-landlord on or before 30<sup>th</sup> August, 2019, apart from furnishing an undertaking to vacate the proceedings initiated by him against the respondent-landlord under Section 340 Cr.P.C.

In case, the petitioner-tenant makes default of any of the above-said terms, the respondent-landlord would be entitled to execute the order of eviction forthwith.

Disposed of accordingly.

**February 25, 2019**  
*vijay saini*

**(JAISHREE THAKUR)**  
**JUDGE**