

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

**Civil Revision No.1440 of 2019 (O&M)
Date of Decision: May 29, 2019**

Amolak Singh

..... Petitioner

VERSUS

Jasdev Singh and another

..... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Prateek Sodhi, Advocate
for the petitioner.

Mr. Amit Arora, Advocate
for the respondents.

JAISHREE THAKUR, J.(Oral)

CM-11572-CII-2019

This is an application for preponing the hearing of the main case (CR-1440-2019) which is listed for 25.07.2019.

For the reasons mentioned in the application, the same is allowed and the main case is taken up for hearing today.

Main case

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 grounds of

personal necessity etc.

After arguing for some time, learned counsel for the petitioner does not press the instant revision on merits, however, prays 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 respondents-landlords.

On the other hand, learned counsel for the respondents-landlords 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 respondents-landlords.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 29.08.2017 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 30.11.2019 to vacate the tenanted premises, subject to the following terms:-

- (i) He will file an affidavit/undertaking before the Rent Controller within two weeks stating that he will vacate and hand over the vacant possession of the tenanted premises to the respondents-landlords on or before 30th November, 2019
- (ii) The petitioner-tenant will pay/deposit the entire due rent/mesne profits upto June, 2019 within a period of three weeks.

(iii) He will keep on paying/depositing the advance rent/mesne profits of subsequent months upto 30.11.2019 on or before 7th day of each calendar month.

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

Disposed of accordingly.

May 29, 2019
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(JAISHREE THAKUR)
JUDGE