

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CR-1553-2019 (O&M)

Date of Decision: March 20, 2019

Raman

.....Petitioner

Versus

Sandeep

.....Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rohit Verma, Advocate
for the petitioner.

Mr. Vivek Salathia, Advocate
for the respondent.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed seeking to challenge the eviction order of the Rent Controller vide its order dated 15.09.2017 which was subsequently affirmed by the Appellate Authority by its decision dated 19.12.2018.

Without going into the merits of the case, learned counsel for the petitioner prays for sufficient period of time to vacate the said premises on the ground that he has been carrying on business in the said premises since 1984 and would require sufficient time to relocate. It is prayed that a period of two years be allowed to the petitioner to vacate the said premises.

Mr. Vivek Salathia, who is present in the Court being the Caveator opposes the said prayer by contending that he would have no objection in case the petitioner is allowed 01 years time to vacate the said

premises provided that all arrears of rent/mesne profit are cleared by that time.

In view of the very fair concession given herein while affirming the eviction orders of both the Courts below, the eviction of the petitioner is hereby stayed till 31.03.2020 subject to the following conditions:

1. *That he will file an undertaking within a period of two weeks that he will hand over the peaceful and vacant possession of the said premises on or before 31.03.2020.*
2. *That he will clear all the arrears of rent along with mesne profit as assessed by the Appellate Authority within a period of 4 weeks from the date of the instant order.*
3. *That he will continue to pay the rent and mesne profit of the subsequent months upto 31.03.2020 on or before 7th day of each calendar month.*

It is made clear that in case the petitioner fails to file the undertaking as specified within a period of two weeks, any interim protection that has been allowed would stand withdrawn deeming the revision petition to be dismissed.

In the circumstances, the revision petition is disposed of in above said terms.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

March 20 , 2019

seema

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes
Yes/No