

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

**Civil Revision No.1655 of 2019 (O&M)
Date of Decision: March 13, 2019**

Narinder Kumar

.....PETITIONER

VERSUS

Ram Sarup Aggarwal (since deceased) through his legal heirs.

....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Divanshu Jain, Advocate
for the petitioner.

Mr. Vikas Bahl, Sr. Advocate with
Mr. Nitin Jain, Advocate
for respondent No. 2/Caveator.

SURINDER GUPTA, J.(Oral)

After arguing at length, learned counsel for the petitioner has sought permission to withdraw this petition with the submission that the petitioner is carrying his business in the demised premises since 1960, as such, he be allowed reasonable time to find alternate accommodation to vacate this premises.

Learned counsel for respondent No. 2/Caveator has no objection if reasonable time is allowed to the petitioner to vacate the demised premises.

With the consent of both the parties, it is ordered that the

petitioner will vacate the shop in question on or before 31.12.2019. The parties have also settled the dispute concerning the issue of mesne-profits regarding which two revision petitions bearing Civil Revision Nos. 3546 of 2017 and 5601 of 2017 are pending. With the consent of both the parties, the mesne-profits as settled by the Appellate Authority is modified @ ₹25,000/- per month which is payable as per orders of Appellate Authority.

In view of submissions of learned counsel for the petitioner, this petition is dismissed as withdrawn. To facilitate the revision petitioner to find alternate accommodation, he is allowed to vacate and hand over the vacant possession of the demised premises to the respondent No. 2-landlord on or before 31.12.2019, subject to the following terms:-

- (i) The petitioner-tenant will pay/deposit the entire due rent and mesne profits @ ₹25,000/- upto 31st March, 2019 within four weeks.
- (ii) He will keep on paying/depositing the advance rent/mesne profits upto 31.12.2019 on or before 15th day of each month.
- (iii) He will file affidavit before the Executing Court within four weeks giving details of entire payment of rent/mesne profits and also giving undertaking to vacate and hand over the vacant possession of the demised premises to respondent No. 2 on or before 31.12.2019.

In case of default in compliance of any of the above terms, respondent No. 2-landlord will be entitled to execute the order of ejectment forthwith.

Two connected revision petitions referred above which are stated to be fixed for 01.04.2019, be now listed on 25.03.2019.

March 13, 2019
Jyoti-II.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***