

RSA No. 1504 of 2019 (O&M)

Date of decision : April 03, 2019

Ranjit Singh Bajaj

.....Appellant

Versus

Darbara Singh

....Respondent

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL**Present: Mr. G.P.S. Bal, Advocate  
for the appellant.Mr. Chetan Bansal, Advocate  
for the respondent.

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**LISA GILL, J.**

This appeal has been filed by the appellant–defendant impugning judgment and decree dated 26.10.2017 passed by the learned Civil Judge (Junior Division), Amritsar as well as judgment and decree dated 07.01.2019 passed by the learned Additional District Judge, Amritsar, whereby defendant's eviction from the demised premises has been ordered.

Learned counsel for the parties submit that during the pendency of this appeal, the matter has been amicably resolved between the parties. The appellant has agreed to hand over the peaceful, vacant possession of the demised premises to the respondent – landlord on or before 02.12.2019. It is further agreed that the respondent – landlord shall waive of his right to claim arrears of rent, which are due from the appellant. Parties agree that the appellant shall regularly pay the agreed rent i.e. ₹1,000/- for both the shops from the month of April, 2019 onwards till November, 2019 (inclusive of the month of November, 2019).

The appellant, duly identified by his counsel, is present in Court today. He affirms and verifies the factum of settlement between the parties. The appellant submits that in view of the settlement arrived at between the parties, he does not press this appeal, which may, however, be disposed of in terms of the settlement arrived at between the parties.

Keeping in view the facts and circumstances as above, especially the settlement arrived at between the parties, this appeal is disposed of in terms of the settlement arrived at between the parties, subject to the appellant submitting a specific undertaking before the learned Executing Court to the effect that he would hand over peaceful, vacant possession of the property in question on or before 02.12.2019 and he would pay the rent at the rate of ₹1,000/- per month till then, by the 10<sup>th</sup> of each month, within one week from the receipt of certified copy of this order.

In case, the said undertaking is not submitted 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 landlord shall be entitled to seek eviction forthwith with police help and without recourse to any remedy besides the appellant – tenant making himself liable to contempt proceedings.

Appeal is accordingly disposed of.

**(Lisa Gill)**  
**Judge**

April 03, 2019  
rts

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|-----------------------------|--------|
| Whether speaking/reasoned : | Yes/No |
| Whether reportable :        | Yes/No |