

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No. 1887 of 2019 (O&M)

Date of decision: 19.03.2019

Bikramjit Arora

...Petitioner

Versus

Prem Rani and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Puja Chopra, Advocate,
for the petitioner.

Mr.K.B. Raheja, Advocate,
for the Caveator-respondent No.1.

JAISHREE THAKUR, J. (ORAL)

1. The petitioner herein seeks to challenge the order of the Rent Controller and the Appellate Authority whereby his eviction has been ordered from the demises premises.

2. After arguing for some time, learned counsel for the petitioner seeks stay of eviction for a period of six months in order to make alternate arrangements. It is contended that the petitioner herein has been working out of these premises for the past 20 years.

3. Learned counsel appearing on behalf of the respondent does not oppose the time to vacate the premises on the condition that an undertaking is filed by the petitioner herein with the Executing Court that vacant possession of the demised premises would be handed over on or before 30.09.2019. It is also stated that the Appellate Authority has assessed mesne

profits @ ₹ 5,000/- per month which ought to be paid in the Executing Court.

4. I have heard learned counsel for the parties and have also perused the impugned judgments.

5. In view of the above, this revision is disposed of being not pressed. Order of eviction dated 31.07.2018 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 30th September, 2019 to vacate the tenanted premises, subject to the following terms:-

(i) The petitioner-tenant will pay/deposit the entire due rent/ mesne profit upto March, 2019 within a period of one month.

(ii) He will keep on paying/depositing the mesne profit as assessed by the Appellate Authority of subsequent months upto 30.09.2019 on or before 7th day of each calendar month.

(iii) He shall file his undertaking before the Rent Controller to vacate and hand over vacant possession of the tenanted premises to the respondent-landlord on or before 30th September, 2019

6. 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.

7. Disposed of accordingly.

19.03.2019

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)

JUDGE

Yes.

No.