

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No. 2775 of 2019 (O&M)
Date of Decision:08.05.2019

Jagmohan Singh @ Jaggi

.....Petitioner

Versus

Harbans Singh and others

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Varun Sharma, Advocate
for the petitioners.

Mr. Nimanyu Gautam, Advocate
for respondent no.1.

LISA GILL, J.

This revision petition has been filed challenging orders dated 17.07.2017 and 20.12.2018, passed by the learned Rent Controller, Jalandhar and the learned Appellate Authority, Jalandhar, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, filed by the respondent-landlords has been allowed and ejection of the present petitioner has been ordered.

Mr. Nimanyu Gautam, Advocate, appears on behalf of respondent no.1. Power of attorney filed in Court today is taken on record subject to just exceptions.

Learned counsel for the petitioner submits that this petition is not pressed on merits, however, the petitioner may be afforded one year to hand over vacant, peaceful possession of the property in question. It is further submitted that such relief has been afforded to a similarly situated

tenant under the same respondents (landlords) in CR No. 4804 of 2018.

Learned counsel for respondent no.1 (landlord), on instructions, submits that the respondents/landlords have no objection in case the petitioner is permitted to retain possession of the demised premises for a period of one year provided he undertakes to hand over vacant, peaceful possession of the same on expiry of the said period. It is fairly stated that a similar concession has been given by the landlord to another tenant who had preferred CR No. 4804 of 2018.

Keeping in view the facts and circumstances of the case and specifically the stand of the parties, this petition is dismissed as not pressed. The petitioner, however, is permitted to retain possession of the demised premises till 30.04.2020, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Jalandhar to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondents-landlords on or before 30.04.2020. Furthermore, he shall deposit arrears of rent, if any, within four weeks from today and shall continue to pay the agreed rent till 30.04.2020 by 10th of each calendar month. This undertaking shall be submitted by the petitioner within one week from receipt of certified copy of this order.

It is made clear that in case, the said undertaking is not furnished by the petitioner (tenant) 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 respondents (landlords) shall be entitled to seek eviction of the petitioner (tenant) from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioner

(tenant) making himself liable to contempt proceedings.

08.05.2019
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.