

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

Civil Revision No. 2392 of 2019 (O&M)

Date of decision : November 21, 2019

Parveen Kumari through LRs

.....Petitioners

Versus

Harish Arora

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. N.K. Vadhera, Advocate
for the petitioners.

Mr. Vipin Mahajan, Advocate
for the respondent.

LISA GILL, J.

This revision petition has been filed by the petitioner-tenant, challenging order dated 10.01.2019, passed by the learned Appellate Authority, Gurdaspur, whereby order dated 31.08.2016, passed by the learned Rent Controller, Gurdaspur, has been reversed and petition under Section 13 of the East Punjab Urban Rent Restriction Act, filed by the respondent-landlord has been allowed.

Learned counsel for the petitioners, on instructions from the petitioners, submits that he does not press this petition on merits. Learned counsel for the petitioners, however, submits that the petitioners may be permitted to retain possession of the premises in question till 31.05.2020 to make arrangements for alternate accommodation and hand over vacant, peaceful possession of the property in question.

Mr. Vipin Mahajan, Advocate, on instructions, submits that the respondent has no objection in case the petitioners are permitted to retain possession of the demised premises till 31.05.2020 provided they undertake to hand over vacant, peaceful possession of the same on expiry of the said period and subject to deposit of rent/*mesne* profits w.e.f. 01.11.2019 till

31.05.2020.

It is agreed between the parties that the petitioners-tenants shall pay rent w.e.f. November, 2019 onwards till the time they remain in possession of the demised premises and the respondent agrees to waive of the arrears of rent till 31.10.2019.

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 petitioners are, however, permitted to retain possession of the demised premises till 31.05.2020, subject to the petitioners submitting a specific and categorical undertaking before the learned Rent Controller, Gurdaspur to the effect that they shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 31.05.2020 and that they shall continue to pay the agreed rent w.e.f. 01.11.2019 by the 10th of each calendar month till 31.05.2020. This undertaking shall be submitted by the petitioners within one week from receipt of certified copy of this order. The rent for the month of November shall be deposited alongwith the said undertaking.

It is made clear that in case, the said undertaking is not furnished by the petitioners 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 respondent-landlord shall be entitled to seek eviction of the petitioner from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioners-tenants making themselves liable to contempt proceedings.

November 21, 2019
rts

(Lisa Gill)
Judge

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