

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

**CR No. 2654 of 2019 (O&M)
Date of Decision:07.05.2019**

Munish Kumar and anotherPetitioners

Versus

Ranjit Singh Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. S.S.Panag, Advocate
for the petitioners.

Mr. Ankur Ghai, Advocate
for the respondent-caveator.

LISA GILL, J.

Petitioners are aggrieved of order dated 29.10.2016, passed by the learned Rent Controller, Ludhiana, as well as order dated 01.04.2019, passed by the learned Appellate Authority, Ludhiana, respectively, whereby eviction of the petitioners (tenants) from the demised premises i.e. a shop as detailed in the petition, has been ordered.

It is brought to the notice of this Court that during the pendency of this petition, the matter has been amicably resolved between the parties. The petitioners, it is agreed shall handover vacant, peaceful possession of the premises in question i.e., a shop as described in the petition to the respondent (landlord) within a period of six months. It is further agreed that the petitioner shall deposit a sum of ₹50,000/- towards arrears of rent within 30 days. Rest of the amount due towards the petitioners has been agreed to be waived off by the respondent (landlord).

In this view of the matter, learned counsel for the petitioners submits that he does not press this petition, however, the petitioners be permitted to retain the premises in terms of the agreement between the parties.

Learned counsel for the respondent-caveator affirms and verifies the factum of agreement between the parties and submits that the respondent (landlord) has no objection in case the petitioners retain possession of the demised premises for the agreed period subject to the petitioners handing over vacant, peaceful possession of the property in terms thereof and further subject to payment of ₹50,000/- towards arrears of rent/mesne profits within 30 days. The respondent (landlord) has agreed to waive off rest of the arrears due towards him.

Keeping in view the facts and circumstances of the case, this revision petition is dismissed as not pressed. Petitioners are however, permitted to retain possession of the demised premises for a period of six months from today subject to their submitting an undertaking, before the learned executing Court, within one week from receipt of the certified copy of this order, to the effect that they shall handover vacant, peaceful possession of the demised premises on or before 07.11.2019. They would further undertake to deposit a sum of ₹50,000/- towards arrear of rent/mesne profits, within one month from today.

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 violation of any of the aforesaid terms, the respondent-landlord shall be entitled to seek eviction of

the petitioners from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioners (tenants) making themselves liable to contempt proceedings.

07.05.2019
s.khan

[LISA GILL]
Judge

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