

CR No. 3817 of 2019 (O&M) 1

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

**CR No. 3817 of 2019 (O&M)
Date of Decision: 19.08.2019**

M/s Aman Enterprises

..... Petitioner

Versus

M/s Hoshnak Rai and Sons

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Varun Katyal, Advocate
 for the petitioner.

 Mr. Pankaj Jain, Advocate
 for the respondent.

LISA GILL, J.(oral)

Mr. Pankaj Jain, Advocate, appears on behalf of the respondent.

Power of attorney filed in Court today is taken on record subject to just exceptions.

CM-12695-CII of 2019.

Heard.

For the reasons mentioned in the application as well as arguments addressed, delay of 46 days in filing of this revision petition is condoned.

Application is disposed of.

CR No. 3817 of 2019.

This revision petition has been filed by the petitioner, challenging order dated 18.02.2017, passed by the learned Rent Controller, Faridabad as well as order dated 07.12.2018, passed by the learned Appellate Authority, Faridabad.

Notice of motion was issued by this Court on 01.07.2019, for today. At the time of issuance of notice of motion, learned counsel for the petitioner, on instructions from the petitioner, had submitted that he does not press this petition on merits. Some reasonable time was sought to make alternate arrangements.

Today, learned counsel for the petitioner, on instructions, reiterates that he does not press this petition on merits, however, the petitioner may be permitted to retain possession of the premises in question till 19.02.2020 to make arrangements for alternate accommodation and hand over vacant, peaceful possession of the property in question. The petitioner undertakes to clear any arrears of rent/*mesne* profit and also undertakes to regularly pay the rent/*mesne* profit for the period he retains possession of the demised premises.

Learned counsel for the respondent, on instructions, submits that the respondent/landlord has no objection in case the petitioner is permitted to retain possession of the demised premises till 19.02.2020 provided he undertakes to hand over vacant, peaceful possession of the same on expiry of the said period and subject to deposit of rent/*mesne* profits.

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 is, however, permitted to retain possession of the demised premises till 19.02.2020, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Faridabad to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 19.02.2020. Furthermore, he shall deposit arrears of rent, if any, within four weeks from today and shall continue to pay the

agreed rent till 19.02.2020 by the 7th of each calender 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 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 petitioner-tenant making himself liable to contempt proceedings.

19.08.2019
s.khan

(Lisa Gill)
Judge

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