

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

CR-2774-2019 (O&M)

Date of Decision: July 08, 2019

M/s Prince Tailor

Petitioner

Versus

Satish Kumar Gulati

Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Garg, Senior Advocate with
Mr. Sandeep Kumar, Advocate
for the petitioner.
Mr. Keshav Pratap Singh, Advocate
for the respondent.

JAISHREE THAKUR, J. (Oral)

The petitioner-tenant herein seeks to challenge the orders of the Rent Controller and the Appellate Authority, Chandigarh by which the eviction petition filed under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short 'the Act') has been allowed on the ground of non-payment of rent.

After arguing for some time, learned counsel for the petitioner on instructions from the petitioner, who is stated to be present in the Court, does not press the instant revision on merits, however, prayed that petitioner be allowed reasonable time for making arrangements of alternative accommodation as well as for vacating/handing over the possession of the tenanted premises to the respondent-landlord.

On the other hand, learned counsel for the caveator-respondent does not object in case, reasonable time is allowed to the petitioner-tenant to

vacate the tenanted premises, subject to his depositing/clearing the entire arrears of rent/mesne profits upto date as well as regularly paying the future rent and furnishing the undertaking to the effect that he will hand over the vacant possession of the tenanted premises to the respondent-landlord.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 05.05.2018 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 31st December, 2019 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioners-tenant will pay/deposit the entire due rent/mesne profits upto July, 2019 within a period of two weeks.
- (ii) He will keep on paying/depositing the advance rent/mesne profits of subsequent months upto 31.12.2019 on or before 7th day of each calendar month.
- (iii) He will file an affidavit before the Rent Controller within three weeks giving details of entire payment of rent/mesne profits and undertaking to vacate and hand over the vacant possession of the tenanted premises to the respondents-landlord on or before 31st December, 2019.

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.

Disposed of accordingly.

July 08, 2019

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No