

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

**C.R. No. 2878 of 2019 (O&M)  
Date of Decision: 18.7.2019**

Anil Kumar

**..... Petitioner  
VERSUS**

Anil Matta

**..... Respondent**

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present: Mr. Ashish Aggarwal, Senior Advocate with  
Mr. Mohit Chaudhary, Advocate,  
for the petitioner.

Mr. Lokesh Sinhal, 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, Faridabad, by which the eviction petition filed by the respondent/landlord under Section 13 of the Haryana Urban (Control of Rent & Eviction) Act, 1973 (in short '**the Act**') has been allowed and the petitioner has been directed to hand over the vacant possession of the demised premises to the respondent/landlord.

After arguing for some time, learned Senior Counsel for the petitioner does not press the instant revision on merits, however, prays 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 mesne profits upto date as well as regularly paying the future mesne profit 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, the order of eviction dated 23.8.2018 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority, is confirmed. However, the petitioner is allowed a period upto 17<sup>th</sup> July, 2020 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioner/tenant will pay/deposit the entire due mesne profits at the rate of ₹10,000/- per month upto July, 2019 within a period of two months from today.
- (ii) He will keep on paying/depositing the advance mesne profits of subsequent months upto July, 2020 on or before 7<sup>th</sup> day of each calendar month.
- (iii) He will file an affidavit before the Rent Controller within two weeks giving details of entire payment of mesne profits and undertaking to vacate and hand over the vacant possession of the tenanted premises to the respondents-landlord on or before 17<sup>th</sup> July, 2020.

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.

The revision petition stands disposed of on the above terms.

18.7.2019

prem

(JAISHREE THAKUR)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes  
No