

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

RSA No.2815 of 2019 (O&M)

Date of decision: 18.12.2019

Prem Lata

....Appellant

VERSUS

Bachan Lal and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Appellant in person with
Mr. Manav Bajaj, Advocate.

Ms. Sumanjit Kaur, Advocate, Advocate for
the respondents.

REKHA MITTAL, J.(Oral)

Challenge in the present appeal has been directed against concurrent findings recorded by the Courts whereby suit for declaration and permanent injunction filed by the appellant/plaintiff has been dismissed and counter claim of the respondent/defendant No.1 was allowed.

After arguing for some time, counsel for the appellant, on instructions from Prem Lata/appellant stated to be present in Court, would state that he does not press the appeal on merits and the appellant may be allowed one year time to vacate the demised premises.

Counsel for the respondents would state that though the appellant has no right to retain possession of the suit property but in order to enable her to re-locate herself, she may be allowed 6 months' time for the purpose.

In view of the above, the appeal stands disposed of. The appellant is allowed more than 9 months' time to vacate and hand over

vacant possession of the premises in question to respondent Bachan Lal subject, however, to the following conditions:-

1. The appellant shall furnish an undertaking by way of an affidavit within a period of 15 days from today that she will hand over vacant possession of the premises to respondent – Bachan Lal on or before 30.09.2020, before the trial Court.
2. The appellant shall not deliver possession of the premises in question to a person other than respondent No.1 nor would create third party interest therein.
3. The respondents shall not interfere in peaceful possession of the appellant of the demised premises till 30.09.2020.

In case the appellant fails to furnish the aforesaid undertaking within the stipulated period, respondent No.1 shall be entitle to execute the decree for possession, in accordance with law. No order as to costs.

DECEMBER 18, 2019
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No