

**CM-21032-CII-2019 in/and
CR No. 2955 of 2019**

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

**CM-21032-CII-2019 in/and
CR No. 2955 of 2019
Date of Decision: October 15, 2019**

Tarsem Pal

..... Petitioner(s)

Versus

Sanjay Sharda

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ferry Sofat, Advocate
for the applicant-petitioner.

Mr. Divyanshu Mehta, Advocate
for the respondent/caveator.

LISA GILL, J.(oral)

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Prayer in this application is for preponement of the date of hearing of the main revision petition.

Mr. Divyanshu Mehta, Advocate, present in Court, accepts notice of the application on behalf of the non-applicant/respondent/caveator and does not raise any objection to the preponement of the hearing of this case.

Accordingly, the application is allowed and date of hearing of this case is preponed from 05.11.2019 for today itself.

Application is disposed of.

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Main case

This revision petition has been filed challenging orders dated 13.10.2017 and 02.03.2019, passed by the learned Rent Controller, Amloh and the learned Appellate Authority, Fatehgarh Sahib, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949, filed by the respondent-landlord has been allowed and ejection of the petitioner has been ordered.

Learned counsel for the petitioner, on instructions from the petitioner, submits that he does not press this petition on merits, however, the petitioner may be permitted to retain possession of the premises in question till 30.04.2020 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/landlord, on instructions from the respondent, submits that the respondent/landlord has no objection in case the petitioner is permitted to retain possession of the demised premises till 30.04.2020 provided he undertakes to hand over vacant, peaceful possession of the same on expiry of the said period.

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

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premises till 30.04.2020, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Amloh to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 30.04.2020. Furthermore, he shall deposit arrears of rent, if any within four weeks from today and shall continue to pay the agreed rent till 30.04.2020 by the 10th of each calendar 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.

October 15, 2019

Sunil

**(Lisa Gill)
Judge**

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