

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

Civil Revision No. 3731 of 2019 (O&M)

Date of decision : October 03, 2019

Naresh Kumar

.....Petitioner

Versus

Renu Jain

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ashwani Bakshi, Advocate
for the petitioner.

Mr. Tribhuwan Singla, Advocate
for the respondent.

LISA GILL, J.

This petition has been filed challenging judgment dated 11.03.2019 passed by the learned Appellate authority, Barnala whereby judgment dated 06.04.2018 passed by the learned Rent Controller, Barnala has been reversed. Learned Rent Controller had dismissed the ejectment petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1948 filed by the landlord but the learned Appellate Authority reversed the said decision. Consequently, the landlord's petition was allowed and ejectment of the present petitioner was ordered from the demised premises.

Learned counsel for the petitioner after arguing for some time, on telephonic instructions from the petitioner, states that he does not press this petition on merits but some reasonable time be afforded to make alternate arrangements and to hand over vacant, peaceful possession of the demised premises in question. Learned counsel for the petitioner further prays for some concession in payment of arrears of rent as well.

Learned counsel for the respondent – caveator, on instructions, submits that the respondent has no objection to the petitioner retaining the

demised premises for a period of three (03) months subject to payment of contractual rate of rent for the period he retains possession of premises. However, the respondent agrees to waive of the arrears of rent till 01.10.2019.

In the facts and circumstances of the case especially the specific stand of the parties, this revision petition is dismissed as not pressed. However, the petitioner is permitted to retain possession of the demised premises till 02.01.2020, subject to the petitioner submitting a specific undertaking before the learned Rent Controller, within two weeks of receipt of certified copy of this order, to the effect that vacant, peaceful possession of the premises in question shall be handed over by him to the respondent – landlord on or before 02.01.2020 and that he shall deposit the rent w.e.f. 01.10.2019 by the 10th of each calendar month till 02.01.2020. The rent for the month of October, 2019 shall be deposited by 18.10.2019.

In case, the said undertaking is not submitted within a period of two weeks from the date of receipt of certified copy of this order or in case of any violation of the aforesaid terms the landlord shall be entitled to seek eviction of the petitioner from the demised premises forthwith, with police help and without recourse to any other remedy, besides the petitioner – tenant making himself liable to contempt proceedings.

October 03, 2019
rts

(Lisa Gill)
Judge

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