

CR No. 3274 of 2019 (O&M)

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

CR No. 3274 of 2019 (O&M)

Date of Decision: May 17, 2019

Harish Makkar

..... Petitioner(s)

Versus

Daman Chopra (deceased) through LR and another

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ajaivir Singh, Advocate
for the petitioner.

Mr. Divanshu Jain, Advocate
for the respondents.

LISA GILL, J.(oral)

This revision petition has been filed challenging orders dated 25.04.2017 and 12.04.2019, passed by the learned Rent Controller, Chandigarh and the learned Appellate Authority, Chandigarh, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, filed by the respondent-landlords has been allowed and ejection of the petitioner has been ordered.

Learned counsel for the petitioner on instructions from the petitioner, who is present in Court 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 30.11.2019 to make arrangements for alternate accommodation and hand over vacant, peaceful possession of

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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.

At this stage, Mr. Divanshu Jain, Advocate appears on behalf of respondent-landlord and on instructions, submits that the respondents/landlord has no objection in case the petitioner is permitted to retain possession of the demised premises till 30.11.2019 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 premises till 30.11.2019, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Chandigarh to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 30.11.2019. Furthermore, he shall deposit arrears of rent if any within four weeks from today and shall continue to pay the agreed rent till 30.11.2019 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

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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.

May 17, 2019

Sunil

(Lisa Gill)
Judge

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