

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

Civil Revision No. 3361-2019 (O&M)

Date of Decision: October 01, 2019

Faqir Chand

..... Petitioner

Versus

Sanyogita Devi

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Akshay Jindal, Advocate
for the petitioner.

Mr. V.B. Aggarwal, Advocate
for the caveator-respondent.

JAISHREE THAKUR, J.(Oral)

The petitioner-tenant herein seeks to challenge the orders of the Rent Controller dated 16.03.2016 and the Appellate Authority, Chandigarh dated 28.03.2019 by which the eviction petition filed under Section 13 of the Haryana Urban Control of Rent and Eviction Act, 1973 (in short 'the Act') has been allowed on the ground of personal necessity.

After arguing for some time, learned counsel for the petitioner on instructions from the petitioner, who is stated to be present in the Court, did not press the instant revision on merits, however, prayed 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.

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 rent/mesne profits upto date as well as regularly paying the future rent and furnishing the undertaking to the effect that he will hand over the vacant possession of the tenanted premises to the the respondent-landlord.

In view of the above, this revision petition is disposed of being not pressed on merits. Order of eviction dated 16.03.2016 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 31st of March 2020 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioners-tenant will pay/deposit the entire due rent/mesne profits upto October, 2019 within a period of four weeks.
- (ii) He will keep on paying/depositing the advance rent/mesne profits of subsequent months upto 31.03.2020 on or before 7th day of each calendar month.
- (iii) He will file an affidavit before the Rent Controller within two weeks giving details of entire payment of rent/mesne profits and undertaking to vacate and hand over the vacant possession of the tenanted premises to the respondent-landlord on or before 31st March, 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.

October 01, 2019

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(JAISHREE THAKUR)
JUDGE