

CR No.4504 of 2019 (O&M) 1

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

**CR No. 4504 of 2019 (O&M)
Date of Decision: 24.07.2019**

Anup Garg and another

..... Petitioners

Versus

Harminder Kaur (since deceased) through her LRs.

..... Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Satish Goel, Advocate
 for the petitioners.

 Mr. Divanshu Jain, Advocate
 for the respondents.

LISA GILL, J.(oral)

This petition has been filed by the petitioners (tenants) challenging order dated 13.05.2019 passed by the learned Rent Controller, Chandigarh whereby the respondents-landlords petition under Section 13B of the East Punjab Urban Rent Restriction Act (for short, the 'Act') was allowed and petitioners application under Section 18A of the Act for leave to contest, was declined. Ejectment of the petitioners from demised premises has been ordered.

It is submitted that the matter has been amicably resolved between the parties. Petitioner no.1-Anoop Garg, duly identified by his counsel, is present in Court today. Learned counsel for the petitioners, on instructions, submits that the petitioners do not press this petition on merits, but at the same time, they

seek some time to make alternate arrangements and handover the vacant peaceful possession of the property in question. The petitioners, it is submitted, may be permitted to retain the demised premises till then.

At this stage, Mr. Divanshu Jain, Advocate appears on behalf of the respondents-landlords.

It is informed that the respondents-landlords have no objection in case the petitioners are permitted to retain possession of the demised premises till 10.09.2020 subject to deposit of rent, *mesne* profits etc., by the petitioners, including the arrears thereof.

Keeping in view the facts and circumstances of the case as well as the specific stand of both the parties, this petition is dismissed as not pressed. However, the petitioners-tenants are permitted to retain possession of the demised premises till 10.09.2020, subject to their furnishing a specific undertaking before the learned Executing Court/Rent Controller, Chandigarh within one week of the receipt of certified copy of this order, to the effect that they shall clear all arrears of rent/*mesne* profits within four weeks and they shall handover the vacant, peaceful possession of the property in question to the respondents on or before 10.09.2020. Till then, the petitioners shall further continue to pay rent/*mesne* profits by the 10th of each calendar month.

It is made clear that in case the said undertaking is not furnished by the petitioners 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 respondents-landlords shall be entitled to seek eviction of the petitioners from the demised premises forthwith, with police help and without recourse to any remedy,

besides, the petitioners-tenants making themselves liable to contempt proceedings.

24.07.2019

s.khan

(Lisa Gill)

Judge

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/No