

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.4637 of 2019 (O&M)

Date of Decision: 05.09.2019

Harsh Luthra

.....Petitioner

Vs.

Mamta Gambhir @ Neetu Oberoi

.....Respondent

CORAM: HON'BLE MR. JUSTICE DR. RAVI RANJAN

Present:- Mr.Surinder Thakur, Advocate, for the petitioner.

DR. RAVI RANJAN, J. (ORAL)

CM No.17870-CII of 2019

This application has been filed for fixing some early date of hearing as the date has already been fixed in the present civil revision petition i.e. 30.09.2019.

Heard.

In view of the averments made in the application, the same is allowed.

The present revision petition would be heard today itself.

CR No.4637 of 2019

Mr.Nimanyu Gautam, Advocate, appears and files memo of appearance on behalf of respondent. The same is taken in record.

It is stated o behalf of appellant there were two litigations pending between the parties and in one of them final order has been passed in CR No.4035 of 2019 on 09.07.2019. It is further contended that the parties are same but only the shops are different and thus, the appellant undertakes to vacate the premises on or before 10.01.2020 and on the same terms and conditions which have been laid down in the aforesaid order.

Learned counsel for the respondent also does not have any objection to that.

Accordingly, the present civil revision petition is disposed of in

terms of the order dated 09.07.2019 passed in CR No.4035 of 2019 (O&M). As per undertaking, petitioner has to vacate the premises on or before 10.01.2020. The petitioner would clear all the arrears of rent, already not paid, till 14.09.2019 by depositing such amount before the executing Court, which would be released that in favour of respondent immediately. So far as the current rent is concerned, petitioner would be required to pay rent for the month of September, 2019 within a period of two weeks from today. So far as the succeeding months are concerned, the payment would be made on 7th of every month in advance. It is made clear that if the arrears of rent are not paid within the aforesaid time granted by this Court, if the same has already not been deposited and/or the current rent is not paid as per direction contained in the present order, the executing Court would take steps for recovery of possession through the process of law and deliver possession of the concerned shop in favour of respondent and also recover rent which remained due in accordance with law.

In view of the above, the present civil revision petition is disposed of. This order is to be considered a consensual order between the parties as both the parties have consented for the same.

(DR. RAVI RANJAN)
JUDGE

05.09.2019
anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No