

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

Civil Revision No. 5089-2019 (O&M)

Date of Decision: 14.10.2019

Ashok Kumar

..... Petitioner

VERSUS

Komal Singla

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ramesh Sharma, Advocate
for the petitioner.

Mr. Anupam Singla, Advocate
for the respondent.

JAISHREE THAKUR, J.(Oral)

The petitioner-tenant herein seeks to challenge the orders of the Rent Controller and the Appellate Authority, Chandigarh by which the eviction petition filed under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (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, does 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.

On the other hand, learned counsel for the 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 respondent-landlord.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 19.09.2016 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 14th April, 2020 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioner-tenant will pay/deposit the entire due rent/mesne profits upto October, 2019 within a period of two weeks.
- (ii) He will keep on paying/depositing the advance rent/mesne profits of subsequent months upto 14.04.2020 on or before 7th day of each calendar month.
- (iii) He will file an affidavit before the Rent Controller within three 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 14th April, 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.

Disposed of accordingly.

October 14, 2019

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(JAISHREE THAKUR)
JUDGE