

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

CR-5328-2019 (O&M)

Date of decision: 14.11.2019

Bimla Kaur and another

...Petitioners

Versus

Neeraj Kumar Mittal and others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rakesh Bhatia, Advocate,
for the petitioners.

Mr. Sanjay Jain, Advocate,
for respondents No.1 & 2.

JAISHREE THAKUR, J. (ORAL)

1. This is a revision petition that has been filed seeking to challenge the order dated 18.05.2017 passed by the Rent Controller, Ambala and dated 15.07.2019 passed by the Appellate Authority, Ambala.

2. Learned counsel appearing on behalf of the petitioners at the very outset submits that the petitioners would not challenge the said orders passed on merits, however, the petitioners should be allowed two years time to vacate the demised premises considering the fact that the petitioners had been in peaceful occupation of the same since long. It is stated that they are ready and willing to hand over the vacant possession of the demised premises within a period of two years and would also furnish individual

affidavits to the effect that peaceful possession of the demised premises would be handed over.

3. Learned counsel appearing on behalf of the respondents submits that the period of two years that is sought for would not be acceptable to the respondents, however, would have no objection in case the vacant possession is handed over by 30.11.2020 and mesne profit @ ₹ 4,000/- per month would be paid. This offer is acceptable to the petitioners.

4. I have heard learned counsel for the parties and without going into the merits of the case dispose of the petition while also confirming the orders of eviction, on the agreed terms as mentioned below:-

(i) That the petitioners will file their individual affidavits before the Rent Controller within two weeks stating that they would hand over vacant possession of the tenanted premises to the respondents-landlord on or before 30.11.2020.

(ii) That the petitioners herein would clear all arrears of mesne profit @ ₹ 4,000/- per month from the date of notice in this revision i.e. from the month of September 2019 onwards within a period of one month as of date.

(iii) That they will continue to pay the future mesne profit @ ₹ 4,000/- per month on or before 10th day of each calendar month.

5. In case, the petitioners-tenants fail to file undertaking/ affidavits within a period of two weeks or fail to comply with any of the conditions, the respondents-landlord would be entitled to execute the order of eviction forthwith.

6. The revision petition is disposed of with the aforesaid directions.

14.11.2019

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.