

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

Civil Revision No. 5272 of 2019(O&M)

Date of Decision: November 18 , 2019.

Ashok Kumar Lakhani

..... PETITIONER

Versus

Ram Saran

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. S.K.Panwar, Advocate
for the petitioner.

Mr. Amit Arora, Advocate
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This petition has been filed by the petitioner (tenant), challenging judgment dated 18.12.2017 passed by the learned Rent Controller, Faridabad as well as order dated 04.07.2019 passed by the learned Appellate Authority, Faridabad whereby the respondent-landlord's petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 (for short, the 'Act') was allowed and ejection of the petitioner from demised premises has been

ordered.

Learned counsel for the petitioner submits that the petitioner does not press this petition on merits, but prays for some reasonable time to make alternate arrangements and handover the vacant, peaceful possession of the premises in question. It is submitted that the petitioner shall handover the vacant, peaceful possession of the demised premises by 31.05.2020 and till then, the petitioner undertakes to regularly pay the rent and clear the arrears of rent, if any, within four weeks from today.

Learned counsel for the respondent-landlord, on instructions from his client, submits that he has no objection to the petitioner retaining possession of the premises till 31.05.2020 subject to payment of arrears of rent, besides, regular deposit of rent/mesne profits by the petitioner and handing over of the vacant, peaceful possession thereof on or before 31.05.2020.

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 petitioner is entitled to retain possession of the demised premises till 31.05.2020, subject to his furnishing a specific undertaking before the learned Rent Controller/Executing Court within one week of the receipt of certified copy of this order, to the effect that he shall handover the vacant, peaceful possession of the property in question to the respondent-landlord on or before 31.05.2020 in view of the settlement arrived at between the parties and he shall clear the arrears of rent within four weeks from today, besides, regularly depositing the rent/mesne profits by the 7th of each calendar month.

It is made clear that in case the said undertaking is not furnished by

the petitioner 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 respondent-landlord shall be entitled to seek eviction of the petitioner from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioner – tenant making himself liable to contempt proceedings.

November 18 , 2019.
'om'

(**LISA GILL**)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No