

Dharampal (deceased) through LRs

.... Petitioner

Versus

Ashok Kumar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Raj Kumar Gupta, Advocate, for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

After arguing for some time, learned counsel for the petitioner submits that he does not wish to press the rent petition but at least 1½ years' time be granted to him to vacate the premises.

The revision is accordingly dismissed as not pressed. However, notice is issued only qua the time to be granted to the petitioner for vacating the premises.

Issue notice of motion.

Mr. Abhilaksh Grover, Advocate accepts notice on behalf of the respondent and states that he has no objection in case nine months' time is granted to the petitioner to vacate the premises

In view of the above, the petitioner shall not be dispossessed on or before 15.12.2020, which amounts to almost 13 months, which according to this Court would be a reasonable time to vacate the premises taking into account that the property in dispute is a shop in which the petitioner is running his business since long. However, the same is subject to the

following:-

(a) The petitioner will give an undertaking that he shall vacate the premises on or before 15.12.2020. The said undertaking shall be given before the Rent Controller within 15 days from today i.e. 30.11.2019.

(b) The same is also subject to the payment of arrears of rent and mesne profit, if any within 15 days from today.

(c) The petitioner shall continue to pay rent regularly by first week of every month till the vacation of the premises.

(d) In case, the petitioner does not give the undertaking within 15 days as mentioned above, the respondent-landlord shall be at liberty to revive the execution petition forthwith.

(e) In case, the petitioner violates any of the undertakings, then too, the respondent-landlord shall be at liberty to revive the execution petition

(f) In case, the petitioner does not vacate the premises on or before 15.12.2020 in spite of the undertaking, the petitioner will be at liberty to pursue the execution petition as well as avail the remedy of contempt petition.

(NIRMALJIT KAUR)
JUDGE

14.11.2019
sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No