

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

Civil Revision No. 2815 of 2013 (O&M)

Date of decision : December 18, 2019

Akhlesh Diwan and another

.....Petitioners

Versus

Rakesh Duggal and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. A.K. Chopra, Senior Advocate with
Mr. Ankit Midha, Advocate
for the petitioners.

Mr. Puneet Jindal, Senior Advocate with
Mr. Amandeep Singh Meho, Advocate
for the respondents.

LISA GILL, J.

This revision petition has been filed by the petitioners-tenant, challenging order dated 07.02.2011 passed by the learned Rent Controller, Panchkula whereby their ejectment from the demised premises has been ordered as well as order dated 20.03.2013 passed by the learned Appellate Authority, Panchkula, upholding the same.

Petitioner No. 1 as well as respondents No. 1 and 3, duly identified by their counsel, are present in Court today.

Learned senior counsel for the petitioners, on instructions submits that he does not press this petition on merits. However, he submits that the petitioners be permitted to retain possession of the premises in question till 30.09.2020 to make arrangements for alternate accommodation and hand over vacant, peaceful possession of the property in question.

It is agreed between the parties that the petitioners shall be permitted to retain possession of the demised premises till 30.09.2020 and

they shall clear the arrears of rent at the rate of ₹25,000/- per month within four weeks from today. The petitioners further undertake to regularly pay the rent/*mesne* profit (₹25,000/- per month) for the period they remain in possession of the demised premises.

Learned senior counsel for the respondents, on instructions, submits that the respondents have no objection in case the petitioners are permitted to retain possession of the demised premises till 30.09.2020 provided they undertake to hand over vacant, peaceful possession of the same on expiry of the said period and subject to deposit of arrears of rent at the rate of ₹25,000/- per month within four weeks from today besides regular deposit thereof till 30.09.2020.

Keeping in view the facts and circumstances of the case and specifically the stand of the parties, this petition is dismissed as not pressed. The petitioners are, however, permitted to retain possession of the demised premises till 30.09.2020, subject to the petitioners submitting a specific and categorical undertaking before the learned Rent Controller, Panchkula to the effect that they shall hand over vacant, peaceful possession of the demised premises to the respondents-landlord on or before 30.09.2020. Furthermore, they shall deposit arrears of rent, if any, within four weeks from today and shall continue to pay the agreed rent till 30.09.2020 by the 10th of each calendar month. This undertaking shall be submitted by the petitioners within two weeks from receipt of certified copy of this order.

It is made clear that in case, the said undertaking is not furnished by the petitioners within a period of two weeks 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 petitioners-tenants making themselves liable to contempt proceedings.

Pending applications, if any, accordingly stand disposed of.

December 18, 2019

(Lisa Gill)
Judge

rts

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