

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-6502-2019 (O&M)

Date of decision: 17.10.2019

Sanjay Kakkar

...Petitioner

Versus

Gagandeep Singh

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Avnish Mittal, Advocate,
for the petitioner.

Mr. Akshay Jindal, Advocate, and
Ms. Stuti Goel, Advocate,
for the respondent.

JAISHREE THAKUR, J. (ORAL)

1. This is a revision petition that has been filed seeking to challenge the order dated 13.04.2018 passed by the Rent Controller, Ambala ordering ejectment of the petitioner herein which order was subsequently affirmed by the Appellate Authority vide judgment dated 19.08.2019.

2. Learned counsel appearing on behalf of the petitioner at the very outset submits that the petitioner would not challenge the said orders passed on merits, however, he should be allowed one year time to vacate the demised premises considering the fact that the petitioner has been in peaceful occupation of the same since long. It is stated that he is ready and willing to hand over the vacant possession of the demised premises within the stipulated period and would also furnish individual affidavit to the effect

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

3. Notice of motion.

4. Mr. Akshay Jindal, Advocate accepts notice on behalf of the respondent and submits that the period of one year that is sought for would be acceptable to him subject to his furnishing an affidavit in this regard and paying the rent etc..

5. I have heard learned counsel for the parties and without going into the merits of the case, I deem it appropriate to confirm the orders of ejectment while allowing the plea of the petitioner herein to retain possession for a period of one year from today. This period is being allowed taking into account the fact that he had been in the said premises since long and had been conducting his business from there. However, the petitioner herein is permitted to retain the premises uptill 30.10.2020 subject to the following conditions :-

(i) That the petitioner will file his individual affidavit before the Rent Controller within two weeks stating that he would hand over vacant possession of the tenanted premises to the respondent-landlord on or before 31.10.2020.

(ii) That the petitioner herein would clear all arrears of rent or mesne profit, if any, assessed by the Rent Controller/Appellate Authority within a period of one month as of date.

(iii) That he will continue to pay the future rent on or before 10th day of each calendar month.

6. In case, the petitioner-tenant fails to file undertaking/ affidavit within a period of two weeks or fails to comply with any of the conditions,

the respondent-landlord would be entitled to execute the order of eviction forthwith.

Disposed of accordingly.

17.10.2019

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.