

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Civil Revision No. 4875 of 2016(O&M)

Date of Decision: May 14 , 2019.

Ram Bhagat

..... PETITIONER (s)

Versus

Suresh Sofat

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Divanshu Jain, Advocate
for the petitioner.

Mr. Puneet Jindal, Senior Advocate with
Mr. Ashutosh Gupta, Advocate and
Mr. Tejinder Singh, 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 challenging order dated 15.07.2016 passed by the learned Rent Controller, Chandigarh whereby ejectment of the petitioner from demised premises has been ordered.

Learned counsel for the petitioner-tenant submits that he has specific instructions to state that the petitioner is ready and willing to vacate the premises, in question, by 31.10.2019. It is further submitted that the petitioner shall

continue to pay the agreed rent for the period he remains in possession of the demises premises. Arrears of rent, if any, shall also be cleared by him.

Learned senior counsel for the respondent-landlord, on instructions from his client, submits that he has no objection in case the petitioner is permitted to retain possession of the premises in dispute till 31.10.2019, provided he hands over vacant, peaceful possession thereof, besides, continues to pay the agreed rent. He further submits that in view of the settlement, the respondent-landlord shall not press the application for mesne profits.

In this view of the matter, learned counsel for the petitioner submits that he does not press this petition on merits, but time as mentioned above, be afforded to vacate the premises.

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 31.10.2019, subject to his furnishing a specific undertaking before the learned Rent Controller, Chandigarh within two weeks 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 on or before 31.10.2019 in view of the settlement arrived at between the parties. The petitioner shall continue to pay the agreed rent by 7th of the each calendar month of the year.

Needless to say, respondent-landlord shall not raise any demand of mesne-profits from the petitioner in tune with the settlement arrived at between them.

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

the petitioner 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 petitioner – tenant making himself liable to contempt proceedings.

All pending applications stand disposed of.

May 14 , 2019.
'om'

(LISA GILL)
JUDGE

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