

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

**Civil Revision No.7337 of 2017 (O&M)
Date of Decision: August 29, 2019**

Bharat Ram

..... Petitioner

VERSUS

Jainendra Gurukul Society, Panchkula

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Petitioner in person with counsel
Mr. Arun Nehra, Advocate and
Mr. Sant Kashyap, Advocate
for the petitioner.

Mr. Adarsh Jain, Advocate
for the respondent.

JAISHREE THAKUR, J.(Oral)

The petitioner-tenant herein seeks to challenge the orders of the Rent Controller and the Appellate Authority, Panchkula by which the eviction petition filed under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (in short 'the Act') has been allowed on the ground of bona fine personal necessity of the respondent-landlord.

After arguing for some time, learned counsel for the petitioner on instructions from the petitioner, who is stated to be present in the Court, does not press the instant revision on merits, however, prayed that petitioner be allowed reasonable time for making arrangements of

alternative accommodation as well as for vacating/handing over the possession of the tenanted premises to the respondent-landlord.

On the other hand, learned counsel for the respondent-landlord does not object in case, reasonable time is allowed to the petitioner-tenant to vacate the tenanted premises, subject to his furnishing an undertaking in the shape of an affidavit to the effect that he will hand over the vacant possession of the tenanted premises to the respondent-landlord. Learned counsel for the respondent-landlord has given up any claim of the respondent-landlord towards arrears of rent or future rent that would have become payable. It is stated that in case, undertaking in the shape of affidavit is not furnished by the petitioner-tenant within the stipulated period, the respondent-landlord would be at liberty to get the premises vacated through the executing court and also to claim arrears of rent.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 27.08.2014 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 28th August, 2020 to vacate the tenanted premises, subject to the following term:-

(i) that he will file an undertaking in the shape of an affidavit before the Rent Controller within three weeks undertaking to vacate and hand over the vacant possession of the tenanted premises to the respondent-landlord on or before 28th August, 2020.

In case, the petitioner-tenant makes default of the above-said term, the respondent-landlord would be entitled to execute the order of

eviction forthwith, with the liberty to claim the arrears of rent.

Disposed of accordingly.

August 29, 2019

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(JAISHREE THAKUR)
JUDGE