

CR No. 7396 of 2019 (O&M)

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

CR No. 7396 of 2019 (O&M)

Date of Decision: November 21, 2019

Sham Lal

..... Petitioner(s)

Versus

Pushap Lata

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Petitioner Sham Lal in person with
 Mr. V.B. Aggarwal, Advocate

Respondent Pushap Lata in person with
 Mr. Paras Money Goyal, Advocate.

LISA GILL, J.(oral)

This revision petition has been filed challenging orders dated 05.04.2017 and 27.09.2019, passed by the learned Rent Controller, Chandigarh and the learned Appellate Authority, Chandigarh, respectively, whereby petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949, filed by the respondent-landlord has been allowed and ejectment of the petitioner has been ordered.

Learned counsel for the petitioner, on instructions from the petitioner, who is present in Court, submits that he does not press this petition on merits, however, the petitioner may be permitted to retain possession of the premises in question till 31.08.2020 to make arrangements

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for alternate accommodation and hand over vacant, peaceful possession of the property in question. The petitioner undertakes to clear any arrears of rent/mesne profit, if any and also undertakes to regularly pay the rent/mesne profit for the period he retains possession of the demised premises.

Learned counsel for the respondent-landlord, on instructions from the respondent, who is present in Court, submits that the respondent-landlord has no objection in case the petitioner is permitted to retain possession of the demised premises till 31.08.2020 provided he undertakes to hand over vacant, peaceful possession of the same on expiry of the said period and deposits the rent/mesne profits for the said period. Learned counsel verifies that the petitioner is not in arrears of rent/mesne profit.

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 petitioner is, however, permitted to retain possession of the demised premises till 31.08.2020, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Chandigarh to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 31.08.2020. Furthermore, he shall continue to pay the agreed rent till 31.08.2020 by the 7th of each calendar month. This undertaking shall be submitted by the petitioner within one week from receipt of certified copy of this order.

It is made clear that in case, the said undertaking is not furnished by the petitioner within a period of one week from the date of

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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.

November 21, 2019

Sunil

**(Lisa Gill)
Judge**

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