

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

Civil Revision No. 7397 of 2019(O&M)

Date of Decision: December 16 , 2019.

Kulwant Rai and another

..... PETITIONERS

Versus

Smt. Kamla Wadhawan

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Manoj Pundir, Advocate
for the petitioners.

Mr. Gian Chand Shahpuri, 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 by the petitioners (tenants), challenging judgments dated 15.11.2018 and 14.11.2019 passed by the learned Rent Controller, Yamuna Nagar at Jagadhri and the learned Appellate Authority, Yamuna Nagar at Jagadhri, respectively, whereby the respondent-landlord's petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 was allowed and ejection of the petitioners from demised premises has been ordered.

Learned counsel for the petitioners reiterates that the petitioners do not press this petition on merits, but prays that the petitioners be permitted to retain possession of the demised premises till 30.06.2020 to make alternate arrangements. It is submitted that the petitioners shall handover the vacant, peaceful possession of the demised premises by 30.06.2020 and till then, the petitioners undertake to regularly pay the rent and clear the arrears of rent, if any, within four weeks from today.

Learned counsel for the respondent-landlord, on instructions from his client, submits that he has no objection to the petitioners retaining possession of the premises till 30.06.2020 subject to payment of arrears of rent, besides, regular deposit of rent/mesne profits by the petitioners and handing over of the vacant, peaceful possession thereof on or before 30.06.2020.

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 petitioners are entitled to retain possession of the demised premises till 30.06.2020, subject to their furnishing a specific undertaking before the learned Rent Controller/Executing Court within one week of the receipt of certified copy of this order, to the effect that they shall handover vacant, peaceful possession of the property in question to the respondent-landlord on or before 30.06.2020 in view of the settlement arrived at between the parties and they shall clear the arrears of rent within four weeks from today, besides, regularly depositing the rent/mesne profits by the 10th of each calendar month.

It is made clear that in case the said undertaking is not furnished by the petitioners within a period of one week 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 petitioners from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioners – tenants making themselves liable to contempt proceedings.

December 16 , 2019.
'om'

(LISA GILL)
JUDGE

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