

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

**Civil Revision No.11723 of 2018 (O&M)
Date of Decision: January 11, 2019**

Charanjit

..... Petitioner

VERSUS

Rajesh Kumar

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Petitioner-tenant in person with counsel
 Mr. Dhawaljeet Dutta, Advocate.

 Mr. Dheeraj Mahajan, Advocate
 for the caveator-respondent.

JAISHREE THAKUR, J.(Oral)

The petitioner-tenant herein seeks to challenge the orders of the Rent Controller and the Appellate Authority, Chandigarh 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 non-payment of rent.

Learned counsel files the fresh power of attorney on behalf of the caveator-respondent, superseding the earlier counsel.

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 caveator-respondent does not object in case, reasonable time is allowed to the petitioner-tenant to vacate the tenanted premises, subject to his depositing/clearing the entire arrears of rent/mesne profits upto date as well as regularly paying the future rent and furnishing the undertaking to the effect that he will hand over the vacant possession of the tenanted premises to the the respondent-landlord.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 21.08.2017 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioner is allowed period upto 30th June, 2019 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioners-tenant will pay/deposit the entire due rent/mesne profits upto January, 2019 within a period of two weeks.
- (ii) He will keep on paying/depositing the advance rent/mesne profits of subsequent months upto 30.06.2019 on or before 7th day of each calendar month.
- (iii) He will file an affidavit before the Rent Controller within three weeks giving details of entire payment of rent/mesne profits and undertaking to vacate and hand over the vacant possession of the tenanted premises to the respondents-landlord on or before 30th June, 2019

In case, the petitioner-tenant makes default of any of the above-

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

Disposed of accordingly.

January 11, 2019
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(JAISHREE THAKUR)
JUDGE