

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

**Civil Revision No.11626 of 2018 (O&M)
Date of Decision: January 08, 2019**

Rajesh Puri and another

..... Petitioners

VERSUS

Paramjit Singh and another

..... Respondents

CORAM:- HON'BLE MR. JUSTICE JAISHREE THAKUR

Present: Mr. Rau P.S. Girwar, Advocate
for the petitioners-tenants.

Mr. Raghav Gulati, Advocate
for the respondents-caveators.

JAISHREE THAKUR, J.(Oral)

The petitioners-tenants herein seek 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 bona fide personal necessity of the respondents-landlords.

After arguing for some time, learned counsel for the petitioners on instructions from the petitioners, who are stated to be present in the Court, does not press the instant revision on merits, however, prayed that that petitioners 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 respondents-landlords.

Mr. Raghav Gulati, Advocate, who is present in the court on behalf of the respondents-caveators, on instructions from the respondents-landlords who are stated to be present in the court, does not object in case, reasonable time is allowed to the petitioners-tenants to vacate the tenanted premises, subject to their depositing/clearing the entire arrears of rent upto date as well as regularly paying the future rent and furnishing the undertaking to the effect that they will hand over the vacant possession of the tenanted premises to the the respondents-landlords.

At this stage, learned counsel for the petitioners-tenants submits that excess rent paid as per Annexure P-21 be adjusted towards the arrears of rent, to which learned counsel for the respondents-landlords has no objection.

In view of the above, this revision is disposed of being not pressed. Order of eviction dated 26.02.2016 passed by the Rent Controller, which was affirmed in appeal by the Appellate Authority is confirmed. However, the revision petitioners are allowed period upto 30th September, 2019 to vacate the tenanted premises, subject to the following terms:-

- (i) The petitioners-tenants will pay/deposit the entire due rent upto January, 2019 within a period of two weeks (after adjusting the excess amount paid as per Annexure P-21).
- (ii) They will keep on paying/depositing the advance rent of subsequent months upto 30.09.2019 on or before 7th day of each calendar month.

(iii) They shall file their joint affidavit before the Rent Controller within three weeks giving details of entire payment of rent and undertaking to vacate and hand over the vacant possession of the tenanted premises to the respondents-landlords on or before 30th September, 2019

In case, the petitioners-tenants make default of any of the above-said terms, the respondents-landlords would be entitled to execute the order of eviction forthwith.

Disposed of accordingly.

January 08, 2019

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(JAISHREE THAKUR)
JUDGE