

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

CR No.16799 of 2018 (O&M)

Date of decision: 7.1.2019

Paramjit Kaur

....Petitioner

VERSUS

Jagjit Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. B.S. Jaswal, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

The present petition directs challenge against concurrent findings of fact recorded by the Courts whereby application for eviction 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 respondent/landlord for the purpose of use by wife of the respondent.

After arguing for some time, counsel for the petitioner would state that he does not press the petition on merits but the petitioner may be given reasonable time to make arrangement of alternative accommodation and re-locate her.

In view of the above, the petition stands disposed of. Order of eviction dated 26.10.2017 passed by the Rent Controller and affirmed in appeal by the Appellate Authority is confirmed subject, however, to the following conditions:-

1. The petitioner shall vacate and hand over vacant possession of the tenancy premises to the respondent/landlord on or before 30.09.2019.

2. The petitioner shall deposit the arrears of mesne profits assessed by the Appellate Authority, Amritsar upto 30.09.2019, within a period of one month by way of demand draft in the name of respondent/landlord with the Rent Controller, Amritsar and same shall be disbursed in favour of the respondent as per rules.
3. The petitioner shall furnish an undertaking before the Rent Controller, Amritsar within a period of 15 days from today that she will hand over vacant possession of tenancy premises to the respondent/landlord on or before 30.09.2019.

Failure of the petitioner to comply with conditions No.2 and 3 or either of them would entitle the respondent/landlord to execute the eviction order forthwith.

Disposed of accordingly.

JANUARY 7, 2019
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No