

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

**Civil Revision No.8484 of 2018 (O&M)
Date of Decision: January 10, 2019**

Dinesh Kumar and another

..... Petitioners

VERSUS

Amrish Kumar

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Jatinder Nagpal, Advocate
for the petitioners-tenants.

Mr. Rakesh Gupta, Advocate
for the respondent.

JAISHREE THAKUR, J.(Oral)

This Civil Revision under Article 227 of the Constitution of India has been filed by the petitioners-tenants seeking setting aside the impugned order dated 11.10.2018 (Annexure P-1) whereby the objections filed by the petitioners-tenants in the Execution Petition have been dismissed by Civil Judge (Jr. Divn.), Patiala.

Notice in the revision was issued on the statement of learned counsel for the petitioners that he does not wish to press this revision on merits but since the petitioners are doing business in the demised premises for the last 35 years some reasonable time may be granted to them to vacate the same.

Appearance has been caused by Mr. Rakesh Gupta, Advocate, by filing power of attorney on behalf of the respondent.

Learned counsel for the petitioners on instructions from the petitioners prays 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 respondent-landlord.

Mr. Rakesh Gupta, Advocate, appearing on behalf of the respondents, on instructions from the respondent-landlord, 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 as assessed by the Appellate Authority and furnishing an undertaking to the effect that they will hand over vacant possession of the tenanted premises to the respondent-landlord.

In view of the above, this revision is disposed of being not pressed. The impugned order dated 11.10.2018 (Annexure P-1) whereby the objection filed by the petitioners-tenants in the Execution Petition have been dismissed, is confirmed. However, the revision petitioners are allowed period upto 30th April, 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.

(ii) They will keep on paying/depositing the rent as assessed by the Appellate Authority of subsequent months upto 30.04.2019 on or before 7th day of each calendar month.

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

10.01.2019

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.