

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

Civil Revision No. 8013 of 2019 (O&M)

Date of decision : December 13, 2019

Sham Sunder through LRs

.....Petitioners

Versus

Deepak Kapoor

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Pardeep Rajput, Advocate
for the petitioner.

Mr. V.K. Sandhir, Advocate
for the caveator/respondent.

LISA GILL, J.

This revision petition has been filed by the petitioner-tenant, challenging order dated 03.10.2017 passed by the learned Rent Controller, Amritsar whereby his ejection from the demised premises has been ordered as well as order dated 14.11.2019, passed by the learned Appellate Authority, Amritsar.

Petitioner No. 1 as well as respondent – caveator, duly identified by their counsel, are present in Court today.

Learned counsel for the petitioner, on instructions from the petitioner, submits that he does not press this petition on merits but the petitioner may be permitted to retain possession of the premises in question till 30.06.2020 to make arrangements for alternate accommodation and hand over vacant, peaceful possession of the property in question. The petitioner undertakes to clear any arrears of rent/*mesne* profit and also undertakes to regularly pay the rent/*mesne* profit for the period he retains possession of the demised premises.

Mr. V.K. Sandhir, Advocate, on instructions, submits that the respondent/landlord has no objection in case the petitioner is permitted to

retain possession of the demised premises till 30.06.2020 provided he undertakes to hand over vacant, peaceful possession of the same on expiry of the said period and subject to deposit of rent/*mesne* profits till 30.06.2020.

Keeping in view the facts and circumstances of the case and specific stand of the parties, this petition is dismissed as not pressed. The petitioner is, however, permitted to retain possession of the demised premises till 30.06.2020, subject to the petitioner submitting a specific and categorical undertaking before the learned Rent Controller, Amritsar to the effect that he shall hand over vacant, peaceful possession of the demised premises to the respondent-landlord on or before 30.06.2020. Furthermore, he shall deposit arrears of rent, if any, within four weeks from today and shall continue to pay the rent/*mesne* profits till 30.06.2020 by the 10th of each calendar month. This undertaking shall be submitted by the petitioner within one week from receipt of certified copy of this order.

It is made clear that in case, the said undertaking is not furnished by the petitioner 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 petitioner from the demised premises forthwith, with police help and without recourse to any remedy, besides, the petitioner-tenant making herself liable to contempt proceedings.

Pending applications, if any, accordingly stand disposed of.

December 13, 2019

rts

(Lisa Gill)
Judge

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