

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

CWP No.1303 of 2020

Date of Decision : 27.01.2020

Manish Kumar

.....Petitioner

Versus

Union of India and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR.JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Rohit Verma, Advocate for the Union of India.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral):

This petition has been filed by the petitioner against the order/notice dated 23.12.2019 passed by the respondents' authorities directing the petitioner to vacate Shop No.06 (OLD)/New No.33 (Complex & Stationery Shop) Gajraj Regimental Welfare Complex-II Tarapore Enclave, Patiala Cantt.

After hearing learned counsel for the parties, the petitioner, namely, Manish Kumar son of Arjun Dev, resident of H.No.246, Street No.3, Sunder Nagar, Patiala, who is present in Court, furnishes an undertaking in writing to the effect that he shall vacate the shop in question latest by 31.03.2020. The petitioner also undertakes to clear all the arrears of rent and to continue to pay the rent till 31.03.2020 to the respondents-authorities. Copy of the undertaking has been given to the learned Additional Solicitor General appearing for the Union of India. The

undertaking given by the petitioner reads as under:-

- “1. That I filed a CWP No.1303 of 2020 in this Hon’ble High Court.
2. That I have made a huge investment of books and stationery in my shop, therefore, in order to vacate my shop, I need some reasonable time.
3. That I hereby undertake that I shall vacate my shop on 31.03.2020.”

Learned Additional Solicitor General appearing for the Union of India submits that in case the petitioner abides by his undertaking given today in the Court and vacates the shop in question by 31.03.2020 and handover the possession to the respondents by that date, the respondents’ authorities would permit him to occupy the shop till 31.03.2020. Petitioner also undertakes to handover the possession of the shop in question in the same condition as it was handed over to him by removing all appurtenances.

The order has been dictated in the presence of the petitioner as well as the respondents who undertake to abide by the same. It is further agreed that in case the petitioner fails to vacate the shop in question by 31.03.2020, the respondents would be entitled to take forcible possession of the same on 01.04.2020 without giving any further notice or taking up any proceedings in this regard.

In view of the aforesaid conjoint statement as well as the arrangement and the agreement arrived at between the parties, the petition filed by the petitioner stands disposed of in terms of the aforesaid undertaking permitting the petitioner to retain possession of the shop in question till 31.03.2020 and thereafter in case he does not vacate the shop, the respondents are free to take forcible possession of the same. The petitioner is also directed to sign the order sheet to acknowledge his

presence. The undertaking given in writing by the petitioner before this Court is taken on record and is marked as Annexure-Z.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

27.01.2020
Manoj Bhutani

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