

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

Civil Revision No. 1458 of 2020(O&M)

Date of Decision: July 02 , 2020.

Balwinder Kumar

..... PETITIONER

Versus

Shashi Bala

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Gitish Bhardwaj, Advocate
for the petitioner.

Mr. Ajaivir Singh, Advocate
for the respondent.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This petition has been filed by the petitioner-tenant, challenging judgments dated 25.02.2019 and 21.09.2019 passed by the learned Rent Controller, Fatehgarh Sahib and the learned Appellate Authority, Fatehgarh Sahib, respectively, whereby the respondent-landlord's petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 was allowed and ejectment of the present petitioner from demised premises has been ordered.

Notice of motion in this case was issued on 28.02.2020 to a limited extent on the restricted prayer addressed by the petitioner whereby he sought a reasonable time to vacate the demised premises.

Learned counsel for the petitioner reiterates that the petitioner does not press this petition on merits, but prays that the petitioner be permitted to retain possession of the demised premises till 01.02.2021 to make alternate arrangements. It is submitted that the petitioner shall handover the vacant, peaceful possession of the demised premises by 01.02.2021 and till then, the petitioner undertakes to regularly pay the rent and clear the arrears of rent, if any, within four weeks from today.

Learned counsel for the respondent-landlord submits that he has no objection to the petitioner retaining possession of the premises till 01.02.2021 subject to payment of regular deposit of rent by the petitioner and handing over of the vacant, peaceful possession thereof on or before 01.02.2021.

Keeping in view the facts and circumstances of the case as well as the specific stand of both the parties, this petition is dismissed as not pressed. However, the petitioner is entitled to retain possession of the demised premises till 01.02.2021, subject to his furnishing a specific undertaking before the learned Rent Controller/Executing Court within three weeks of the receipt of certified copy of this order, to the effect that he shall handover vacant, peaceful possession of the property in question to the respondent-landlord on or before 01.02.2021 in view of the settlement arrived at between the parties and he shall clear the arrears of rent, if any, within four weeks from today, besides, regularly depositing the rent by the 10th of each calendar month.

It is made clear that in case the said undertaking is not furnished by the petitioner within a period of three weeks 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 himself liable to contempt proceedings.

July 02 , 2020.
'om'

(LISA GILL)
JUDGE

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