

In the High Court of Punjab and Haryana at Chandigarh

118+277

CM-5007-CII-2020 in/and

CR-2835-2016 (O & M)

Date of Decision: March 05, 2020

KRISHAN LAL ARORA & ANR

....PETITIONERS

VERSUS

SANJAY KUMAR

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Dinesh Arora, Advocate
for the petitioners.

Mr. B. S. Rana, Senior Advocate with
Ms. Divya Bajaj, Advocate and
Mr. Gaurav Jain, Advocate
for the respondent.

ANUPINDER SINGH GREWAL, J (ORAL)

CM-5007-CII-2020

This application is filed for preponing the date of hearing in the main case.

It is stated in the application that the matter has been settled between the parties and, therefore, the date of hearing may be preponed from 06.05.2020.

Issue notice to non-applicants/petitioners.

At this stage, Mr. Dinesh Arora, Advocate accepts notice on behalf of non-applicants/petitioners. He states that he has no objection if the main case is preponed, as indeed settlement has been arrived at between the parties.

For the reasons stated in the application, the same is allowed and the main petition is preponed from 06.05.2020 to today itself.

Main Case

Learned counsel for the petitioners contends that the petitioners shall hand over the vacant possession of the demised premises on or before 31.12.2021 and they shall pay the future rent in terms of the agreement. He further contends that the wooden almirahs in the premises are infested with termites and they may be allowed to repair or replace the same.

Learned Senior counsel for the respondent upon instructions from the respondent states that he has no objection if the petitioners vacate the premises by 31.12.2021, provided they clear the arrears of mesne profits within a period of one month from now, pay the future rent in terms of the agreement and also file an undertaking in this regard. He further contends that the petitioners may repair or replace the wooden almirahs provided that they do not make any material alterations.

In view of the above, the petition is disposed of with the direction that the petitioners shall hand over actual, physical, vacant possession of the demised premises on or before 31.12.2021 so as to make alternate arrangements, subject to their furnishing an undertaking within a period of 15 days before the Rent Controller in this regard. They shall clear the arrears of rent, if any, within a period of one month and shall pay the future rent as per the agreement till they hand over the vacant possession of the demised premises.

Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek their eviction forthwith with police help, if

necessary and without recourse to any remedy besides the petitioners/tenants making themselves liable to contempt proceedings.

Petition is disposed of in the aforesaid terms.

Pending application(s), if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

March 05, 2020
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No