

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

111+215

CR-4742-2007 (O&M)

DATE OF DECISION: 12.03.2020

CHANDER SHEKHAR

... Petitioner(s)

Versus

ISHWAR CHAND

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. C.B. Goel, Advocate for the petitioner.

Mr. Suman Jain, Advocate for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

Learned counsel for the respondent/tenant contends that the matter has been settled through the efforts of the Mediation and Conciliation Centre of this Court. The settlement/agreement dated 05.03.2020 is taken on record. The respondent/tenant undertakes that in terms of the settlement, he shall handover the vacant possession of the premises on or before 31.12.2021. He shall also pay the arrears of rent, if any, within a period of one month before the Rent Controller. He shall also pay the future rent on or before 10th of each month till the time he vacates the premises. He shall also file an undertaking to this effect before the Rent Controller.

Learned counsel for the petitioner/landlord states that the matter has indeed been settled through the efforts of the Mediation and Conciliation Centre of this Court. Learned counsel for the petitioner/landlord contends that he had arrived at a settlement with the respondent/tenant wherein the respondent/tenant had given assurance that he will vacate the premises by 31.12.2021. The petitioner/landlord has no objection if the respondent/tenant hands over vacant possession positively by 31.12.2021 provided he clears arrears of rent within a period of one month.

In view of the above, respondent/tenant is granted time till 31.12.2021 for making alternate arrangements, subject to his furnishing an undertaking within a period of one month before the Rent Controller that actual, physical, vacant possession of the demised premises would be handed over to the petitioner/landlord by 31.12.2021 as agreed in the settlement. The undertaking shall also state that the entire arrears of rent shall be cleared within a period of one month and he shall abide by the terms and conditions of the settlement/agreement dated 05.03.2020.

Needless to say that any violation of the aforesaid terms shall entitle the petitioner/landlord to seek his eviction forthwith with police help, if necessary and without recourse to any remedy besides the respondent/tenant making himself liable to contempt proceedings.

Petition is disposed of in the aforesaid terms.

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

(ANUPINDER SINGH GREWAL)
JUDGE

12.03.2020.

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No