

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

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CR-5562-2019 (O&M)

Date of decision : 15.01.2020.

Sunil Kumar Mahajan

... Petitioner

Versus

Sher Amir Singh

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Harinder Kumar Aurora, Advocate for the petitioner.

Mr. Parshotam Lal Singla, Advocate for the caveator.

Anupinder Singh Grewal, J. (Oral)

The petitioner has challenged the judgments of the Rent Controller as well as the Appellate Authority whereby eviction from the premises has been ordered on the ground of personal necessity of the respondent-landlord.

After arguing for sometime, learned counsel for the petitioner confines his prayer in this petition to the grant of nine months' time to vacate the premises.

Issue notice to the respondent.

Mr. Parshotam Lal Singla, Advocate, who is present in Court, has put in appearance on behalf of the respondent and states that he has received instructions that the respondent has no objection in the event of the petitioner being granted nine months' time to hand over the vacant possession of the premises subject to payment of mesne profits @ ₹7,000/- per month which had been determined by the Appellate Authority.

Learned counsel for the petitioner contends that the determination of the mesne profits has been challenged by the petitioner by preferring Civil Revision No.7784 of 2018 which is pending adjudication in this Court. He further contends that the petitioner undertakes that he shall pay the arrears of mesne profit w.e.f. the date of dismissal of his appeal by the Appellate Authority, within a period of three months from now. He shall also hand over the vacant possession of the premises on or before 15.10.2020. He shall be paying the mesne profit @ ₹7,000/- per month on 7th day of each month from February, 2020.

Consequently, the petition is disposed of with the direction that the petitioner shall hand over vacant possession of the premises on or before 15.10.2020; he shall also pay the arrears including mesne profit @ ₹7,000/- per month w.e.f. the date of dismissal of his appeal by the Appellate Authority, within three months from now, which shall, of course, be subject to the final outcome of the aforesaid civil revision. He shall also file an undertaking before the Executing Court in this regard within one month.

(ANUPINDER SINGH GREWAL)
JUDGE

January 15, 2020

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