

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

**Civil Revision No.8085 of 2019 (O&M)
Date of Decision: 06.03.2020**

Parveen Kumar

.....Petitioner

Versus

Rakesh Kumar

.....Respondent

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Arun Bansal, Mr. Anubhav Bansal, Ms. Gurmeet Kaur and
Ms. Anju, Advocates for the applicant/petitioner.

Mr. Umang Goyal, Advocate for the respondent.

MAHABIR SINGH SINDHU, J. (ORAL)

CM-4949-CII-2020

Present application has been filed for placing on record the undertaking by way of affidavit and Annexures with the further prayer seeking exemption from filing certified copies of the annexures.

For the reasons stated in the application, the same is allowed subject to all just exceptions. Accompanied documents are taken on record.

Registry to tag the same at the appropriate place.

MAIN CASE

Present petition has been filed under sub-section 5, Section 15 of the East Punjab Urban Rent Restriction Act, 1949 (*for short 'the Act'*) against the impugned judgment dated 02.11.2019 of learned Appellate Authority, Bathinda, whereby the appeal of the petitioner/tenant was dismissed and his eviction order dated 06.03.2018, passed by learned Rent Controller, is affirmed.

This Court, on 18.02.2020, passed the following order:-

“Mr. Umang Goyal, Advocate has filed power of attorney on behalf of the respondent. The same is taken on record.

On the last date of hearing i.e. 20.12.2019, the following order was passed:-

“The instant revision petition has been filed seeking to challenge the ejectment as passed by the Rent Controller and subsequently affirmed by the Appellate Authority.

After arguing at some length, learned counsel for the petitioner seeks time to vacate the premises since the same has been occupied since 1985.

Notice of motion for 18.02.2020, qua limited prayer that learned counsel for the petitioner seeks time to vacate the premises.

In the meantime, the Executing Court is directed to adjourn the case beyond the date given by this Court.”

Learned Counsel for the petitioner seeks time to have instructions in the matter.

Adjourned to 04.03.2020.

Let a written undertaking be filed by the petitioner in terms of above order.

Interim order to continue.”

In terms of aforesaid order dated 18.02.2020, CM-4949-CII-2020 has been filed and para 8 of the same reads as under:-

“That since the petitioner is taking all efforts to get his shops vacated which have been purchased by him after passing of the eviction order and intends to shift to his own shops, therefore, the petitioner seeks the kind indulgence of this Hon'ble Court to grant him reasonable time of one year to vacate the premises. The petitioner undertakes to vacate the premises within 1 year in view of the aforesaid facts and circumstances.”

The aforesaid application is supported by way of an affidavit of the applicant/petitioner.

Since the petitioner is seeking one year to vacate the premises in dispute, thus, taking into consideration the facts and circumstances of the case, the present petition is disposed off. Petitioner/tenant would vacate the premises in dispute on or before 31.12.2020 and will pay the rent regularly by 7th of each month to the respondent/landlord. Petitioner will furnish written undertaking before the learned Rent Controller in this regard within four weeks from today.

Since the main case is disposed off, therefore, the pending application(s) also stand disposed off.

March 06, 2020

Gagan

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>