

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

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CR No. 762 of 2021 (O & M)

Date of decision : 9.9.2021

Shri Kishan Chand Puri and Sons and another

.....Petitioners

Vs.

Vinod Gupta

.....Respondent

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Sanjay Jain, Advocate, for the petitioners

Mr. Sukesh K. Jindal, Advocate, for the respondent

Rajbir Sehrawat, J. (Oral)

This petition has been filed against the order dated 8.2.2021, passed by the Rent Controller, vide which the petitioners were ordered to be evicted from the demised premises.

After arguing for some time, counsel for the petitioners submits that he has instructions to submit that the petitioners does not wish to press this petition on merits of the case. However, he has prayed for grant of some time for vacating the premises in question.

On the other hand, counsel for the respondent has not opposed the prayer of the petitioners as such; but submitted that the petitioners are not even paying the rent of the shop in question. It is further submitted by the counsel that even if the petitioners are to be granted some time to vacate the shop, that should be only a reasonable time; with further condition that the petitioners would make the payment of entire arrears of the rent and shall continue to make the payment of the rent every month.

Having considered the submissions of the counsel for the parties, this Court deems it appropriate to grant reasonable time to the petitioners to

vacate the premises in question, while upholding the order passed by the Rent Controller. Ordered accordingly.

Hence, it is ordered that the petitioners shall hand over the vacant possession of the premises in question to the respondent-landlord on or before 31.3.2022. It is further ordered that if the petitioners do not hand over the vacant possession latest by 31.3.2022, then the respondent-landlord shall be entitled to get the possession of the property in question with the police help; without taking recourse to any further Court proceedings. Still further, it is ordered that if any articles/properties/items are found lying inside the premises on 1.4.2022, the same shall be deemed to have been forfeited in favour of the respondent-landlord; and he shall be entitled to disposed of the same or to appropriate the same as his own properties.

In view of the submissions of counsel for the respondent, it is further ordered that the petitioners shall tender before the Rent Controller, the entire arrears of rent till today; at the rate agreed in the rent agreement; and the same shall be disbursed to the respondent-landlord immediately on tendering the same by the petitioners.

Still further, the petitioners shall pay the rent to the respondent-landlord by 7th of every month till the actual possession is hand over to the respondent-landlord.

Disposed of in the above terms.

All pending applications are disposed of accordingly.

(RAJBIR SEHRAWAT)
JUDGE

9.9.2021

Ashwani

Speaking/Reasoned : Yes/No
Reportable : Yes/No