

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

**CR No.1837 of 2022 (O&M)
Date of Decision: 13.05.2022**

Ekta Suneja

.....Petitioner.

Versus

Rama Kapoor (since deceased) through her LRs

.....Respondents.

BEFORE: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Atul Goyal, Advocate
for the revisionist-petitioner.

Mr. Chandeeep Singh, Advocate
for the caveators-respondents.

MEENAKSHI I. MEHTA, J.(Oral)

By way of this revision-petition, the petitioner seeks the indulgence of this Court for setting aside the order dated 02.05.2022 (Annexure P-9) passed by learned Additional District Judge, SAS Nagar (Mohali), i.e the Appellate Authority whereby the order as passed on 23.12.2021 (Annexure P-4) for staying her dispossession from the demised premises subject to the payment of entire arrears of rent, has been vacated.

The respondent-landlady (since deceased and now represented through her LRs) filed an eviction petition against the petitioner-tenant and the same was allowed by learned Rent Controller vide order dated

03.4.2019 (Annexure P-1). The petitioner preferred an appeal to assail the above-said ejectment order. On 02.02.2022, she as well as the LR of the respondent named Atul Kapoor, made their separate statements during the Pre Lok Adalat proceedings whereby she undertook to vacate the premises in dispute within three months from that day, i.e upto 01.05.2022. However, on 02.05.2022, she expressed her inability to pay the balance amount of arrears and rather, moved an application for seeking extension of time to vacate the said premises and it being so, the Appellate Authority vacated the order Annexure P-4 as passed qua the stay of her dispossession from the demised premises.

I have heard learned counsel for the revisionist-petitioner as well as learned counsel for the caveators-LRs of the respondent in this revision petition and have also perused the file carefully.

Learned counsel for the petitioner submits that the petitioner is ready to pay the entire balance arrears of rent to the LRs of the respondent and she has already purchased the house but she needs some time to shift there and therefore, she be allowed to stay in the demised premises for the period upto 15.06.2022.

However, learned counsel for the caveators-LRs of the respondent strongly opposes the above-said request as made on behalf of the petitioner.

Concededly, the petitioner, vide her own statement as recorded on 02.02.2022, had undertaken to vacate the demised premises within three months, i.e upto 01.05.2022. Moreover, a perusal of Annexure

P-7, as placed by her on the record to show that she has purchased her own house and would be shifting there very shortly, reveals that it is merely a provisional letter of allotment issued by some Builder and that too, in the name of one Ms. Nisha Arora and not in the name of the petitioner. These circumstances make it explicit that she does not deserve the relief of stay qua her dispossession from the demised premises.

As a sequel to the fore-going discussion, it follows that the impugned order does not suffer from any illegality, irregularity, infirmity or perversity so as to warrant any interference by this Court. Resultantly, the revision petition in hand stands dismissed.

May 13, 2022
pooja

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes*

Whether Reportable: *No*