

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

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**CR-5477-2019 (O&M)
Decided on : 26.04.2022**

Aakash Jain and another

. . . Petitioner(s)

Versus

Mohinder Kumar Jain

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Alok Jain, Advocate
for the petitioner(s).

Mr. Akshay Jain, Advocate
for the respondent(s).

MANJARI NEHRU KAUL, J. (Oral)

The petitioners-tenant by filing present petition is impugning the order dated 26.10.2016, passed by the Rent Controller, Pataudi, vide which they were ordered to vacate the rented premises within two months i.e. shop bearing NO.136, constructed in Manak Chand Market, Ward No.8, Near Delhi Gate, Main Bazar, Farrukh Nagar, as fully detailed in para No.2 of the eviction petition and order dated 31.07.2019 passed by the Appellate Authority, Gurugram, whereby his appeal preferred against the order dated 26.10.2016, was dismissed.

Learned counsel for the petitioners after arguing for some time, submits that he be granted 11 months to vacate the demised premises. Learned counsel for the respondent, on instructions, does not oppose the prayer made by the counsel opposite for grant of 11 months to vacate the demises premises.

In the wake of the prayer made by learned counsel for the petitioners and keeping in view the consent of both the parties, the revision petition is disposed of in the following terms:

- (i) The petitioners-tenant shall continue to occupy the demised premises for a period of 11 months from today upto

31.03.2023;

- (ii) The petitioners-tenant shall clear all arrears of rent, if any, within a week from today and shall continue to deposit the agreed rent by 7th of every month till 31.03.2023, or till they remains in occupation of the premises;
- (iii) The petitioners-tenant shall clear all pending electricity and water bills, if any, within two weeks from today, and shall continue to pay those charges till 31.03.2023, or till they vacates the premises;
- (iv) The petitioners-tenant shall vacate and hand over the actual physical possession of the demised premises, free from all encumbrances, to the respondent/landlord on or before 31.03.2023;
- (v) The petitioners-tenant shall furnish an affidavit in the above terms before the Executing Court/Trial Court within two weeks from today, failing which the arrangement set out in this order shall stand vacated and the respondent shall be at liberty to execute the order of ejectment forthwith;
- (vi) In the event of even a single default, this arrangement shall stand vacated and the respondent shall be free to execute the order of ejectment forthwith and obtain possession and appropriate proceedings for breach of this arrangement shall also be initiated against the petitioner.

Since the main case stands disposed of, pending civil miscellaneous applications, if any, stand disposed of accordingly.

(MANJARI NEHRU KAUL)
JUDGE

April 26, 2022

J.Ram

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