

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

115

CR No.3539 of 2021 (O&M)
DATE OF DECISION : 03rd MARCH, 2022

Hari Chand (deceased) through his LR Shiv Kumar

.... Petitioner

Versus

Satyavir Parshad and others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. S.K. Panwar, Advocate,
for the petitioner.

Mr. Ishan Aggarwal, Advocate,
for LR's of respondent No.1.

None for respondent Nos.2 to 8.

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RAJBIR SEHRAWAT, J. (Oral)

This is a revision petition filed against the impugned order dated 12.10.2021 passed by the Appellate Authority, Gurugram, whereby the appeal filed by the petitioner against the impugned ejectment order dated 12.08.2016 passed by the Rent Controller, Sohna, District Gurugram, has been dismissed.

Notice in the present petition was issued only qua grant of time to the petitioner for handing over the vacant possession of the shop to the respondent-landlord.

The counsel for LR's of respondent No.1 has submitted that the petitioner has already enjoyed the benefits of the shop for a long time. Even, after passing of the final eviction order, the petitioner is occupying the shop for more than four months. Still further, it is submitted that

although the respondents would pray for handing over the vacant possession to them immediately, however, even if some time is to be granted to the petitioner to vacate the shop, then he should be obligated to pay the market rent prevalent as of today; and the period to be granted should not be more than three months.

As response to this, the counsel for the petitioner, being instructed by the petitioner, who is present in the Court has submitted that the petitioner be granted six months time to vacate the shop in question. The petitioner would pay rent of Rs.5,000/- per month. The petitioner undertakes to hand over the vacant possession on expiry of six months.

Accordingly, it would not be unjustified, if the petitioner is granted six months time to hand over the vacant possession of the shop in question to the respondents, with a further direction to pay the reasonable rent to the respondents-landlord till the shop is vacated.

In view of the above, the present revision petition is disposed of by granting time to the petitioner to vacate the shop on or before 03.09.2022. The petitioner is ordered to pay Rs.5,000/- per month as rent to the respondents-landlord on or before 10th of every month. He shall also be liable to clear the electricity dues, till he vacates the shop. A single default on the part of the petitioner would result in withdrawing this concession granted to him.

It is further ordered that if the petitioner does not hand over the vacant possession of the shop on or before 03.09.2022, then the respondents-landlord would be entitled to get the possession of shop with the help of the police without requiring any further orders from any Court. If

any articles/items are found lying in the shop in question on or after 04.09.2022, then the same shall be deemed to have been forfeited in favour of the respondents/landlord, who shall be entitled to appropriate or disposed of the same as their own properties.

03rd MARCH, 2022
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(RAJBIR SEHRAWAT)
JUDGE

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