

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(102)

CR No. 1087 of 2015

Date of Decision : 20.04.2023

Shiv Shankar

...Petitioner

Versus

M/s Jiwan Singh Jawahar Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amit Jain, Senior Advocate with
Mr. Varun Parkash, Advocate
for the petitioner.

Mr. Kshitij Sharma, Advocate
for the respondent.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the respondent submits that he has instructions that the respondent will hand over the vacant possession of the shop by 30.04.2024.

Learned counsel for the petitioner submits that the said offer of the respondent is acceptable and keeping in view the said offer, the judgment of the Appellate Authority dated 15.09.2014 may be set aside and the judgment of Rent Controller dated 25.09.2013 may be restored with the observation that the respondent-tenant will hand over the vacant possession of the property in question to the petitioner by 30.04.2024.

Ordered accordingly.

Let the respondent-tenant furnish an undertaking before the Rent Controller that till the time he will retain the premises in question, he will

continue to deposit the rent as required under law and will vacate the premises in question as undertaken before this Court by 30.04.2024.

Learned counsel for the petitioner submits that in case the respondent does not file the undertaking or fails to comply with the undertaking given for vacating premises in question by 30.04.2024, the liberty granted by him before this Court be treated as withdrawn and the petitioner-landlord be given the right to get the premises in question vacated by executing the decree in question.

Petition is allowed in the above terms.

April 20, 2023

jt

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No