

CR-2154-2021 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-18815-CII-2023 in/and
CR-2154-2021 (O&M)
Decided on:-12.10.2023

Mangi Lal

....Petitioner.

vs.

Kalpna Gulati and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Divyanshu Jain, Advocate for the petitioner.

Mr. Sandeep Verma, Advocate for respondent No.1.

HARKESH MANUJA J. (Oral)

CM-18815-CII-2023

Prayer in this application is for preponing the date of hearing in the main case.

Notice of the application.

Mr. Sandeep Verma, Advocate, who is present in Court accepts notice on behalf of respondent No.1 and raises no objection to the preponing application.

In view of the above, present application is allowed and date of hearing in the main case is preponed from 29.11.2023 to today itself for hearing and final disposal.

Main case

1. Present revision petition is directed against the eviction order dated 22.01.2016 passed by Learned Rent Controller, Panipat and affirmed by learned Appellate Authority, Panipat, vide its judgment dated 05.02.2020.

2. After arguing for sometime, learned counsel for the petitioner

states that he does not press the present petition on merits, however prays that the petitioner has been earning his livelihood from the shop in question for the past 22 years and is an old man of more than 62 years of age and thus, may be given reasonable time to make arrangement of alternative accommodation for setting up of his business.

3. In view of the above, eviction order dated 22.01.2016 passed by the Rent Controller, Panipat and affirmed in appeal by the Appellate Authority, Panipat vide judgment dated 05.02.2020 is confirmed, however, subject to following conditions:-

i) the petitioner shall hand over vacant possession of the tenanted premises to the respondent/landlady on or before 11.04.2025;

ii) the petitioner shall furnish an undertaking before the Rent Controller, Panipat, within fifteen days from today that he will hand over vacant possession of the tenanted premises to the respondent on or before 11.04.2025; and

iii) the petitioner shall clear arrears of rent, if any, as per the findings recorded by the authorities below, within a period of one month from today and will continue to clear the arrears by seventh of each month till 11.04.2025.

4. Failure to comply with either of the conditions by the petitioner would entitle the respondent/landlady to execute the eviction order forthwith.

5. Pending application(s), if any, shall also stand disposed of.

12.10.2023

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No