

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

289

CR-1915-2023 (O&M)
Date of decision : 13.07.2023

Ranjit Singh

Petitioner

V/S

Balraj Singh

Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Ravinder Pankaj, Advocate
for the petitioner.

Mr. Inderjit Sharma, Advocate
for the respondent.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the present revision petition against impugned judgment dated 24.01.2023 passed by learned Appellate Authority under Section 13 of the Punjab Rent Restriction Act whereby the learned Appellate Authority upheld the eviction order dated 08.02.2019 of petitioner/tenant passed by learned Rent Controller.
2. Learned counsel for the respondent has filed his power of attorney which is taken on record.
3. While issuing notice of motion on 18.05.2023, the following order was passed by this Court :-

“At the very outset, learned counsel for the petitioner submits that the petitioner has been tenant in the demised premises since the year 1988 and his eviction has been ordered by the Rent Controller and affirmed by the Appellate Authority.

He prays for grant of some reasonable time, subject

to clearing the entire arrears of rent and payment of mesne profit for use and occupation for the extended period that may be allowed for handing over vacant possession to the respondent-landlord.

Notice of motion to the limited extent, returnable for 13.07.2023.

Process dasti only.

Leave is granted to serve the respondent through the counsel representing him before the executing Court.

Learned counsel for the petitioner prays for liberty to also make the same offer to the landlord before the executing Court.

Needless to observe, pendency of the present petition does not debar the petitioner-tenant from making the same offer to the respondent-landlord or before the Court below”.

4. The learned counsel for the petitioner confines his prayer for extending the time to vacate the demise premises. He submits that the petitioner may be granted 06 months time i.e. on or before 13.01.2024 for vacating the premises.

5. The prayer made by learned counsel for the petitioner has not been opposed by the learned counsel for the respondent. He, however, submits that let the petitioner file an undertaking before the Rent Controller, Gurdaspur that he will vacate the premises within 06 months and will pay the upto date arrears of rent. The petitioner may also be directed to keep on paying the rent regularly till the premises in question is under his possession including the sundry charges required to be paid by him.

6. Learned counsel for the petitioner submits that appropriate charges including the rent will be paid to the owner regularly without

fail till the vacant possession of premises is handed over to the respondent.

7. In view of above, the petitioner is directed to file an undertaking before the Rent Controller, Gurdaspur within 02 weeks from today that he will vacate the premises on or before 13.01.2024 and will pay the upto date arrears of rent and other sundry charges.

8. It is clarified that in case, the petitioner fails to adhere to the said undertaking recorded herein before this Court, the petitioner will be making himself liable for contempt proceedings.

9. The present petition stands disposed of accordingly.

10. Misc. Application(s) pending, if any, shall stand disposed of accordingly.

13.07.2023

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No