

CR-4564-2023 (O&M)
DECIDED ON: 01.09.2023

.....PETITIONER

ROCKY

....RESPONDENT

Present: Mr. Lovish Rattan, Advocate
for the petitioner.

VIKRAM AGGARWAL, J (ORAL)

1. Mr. S.P. Soi, Advocate has put in appearance on behalf of the respondent and has filed his power of attorney.
2. Learned counsel for the petitioner submits that the petitioner may be granted one year time to hand over the vacant possession of the demised premises to the respondent-landlord.
3. Learned counsel for the respondent-landlord is agreeable to the same though he states that six months period would have been more reasonable for the respondent-landlord.
4. On the last date of hearing, the following order was passed:-

“The petitioner is a tenant in a shop measuring 9’ x 21’ carved out of property No.114 situated at Shiv Nagar, Sodal Road, Jalandhar (fully described in the eviction petition) (hereinafter referred to as ‘the demised premises). The respondent-landlord filed an eviction petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (hereinafter referred to

as ‘the Rent Act’) for eviction of the petitioner-tenant from the demised premises on the grounds of non-payment of rent and personal necessity. The eviction petition was allowed by the Rent Controller, Jalandhar vide judgment dated 28.02.2020. An appeal was preferred by the present petitioner which has also now been dismissed by the Appellate Authority, Jalandhar vide judgment dated 18.05.2023 leading to the filing of the present revision petition.

After having argued the case and finding the Court to be not in agreement with him, learned counsel has submitted that he would not challenge the judgments of the Courts below on merits and that since the petitioner has been doing his business from the demised premises for the last 50 years, some reasonable time may be granted to him to vacate the demised premises.

*Notice of motion for **01.09.2023**.*

Process dasti as well.

To be taken up after the urgent list.”

5. Since the petitioner is now not challenging the judgments of the Courts below on merits and the petitioner is stated to be in the possession of the demised premises for the last almost 50 years, some reasonable time deserves to be granted to him to hand over the vacant possession of the demised premises to the respondent-landlord. In the considered opinion of this Court, a period of one year is a reasonable period which should be granted to the petitioner to hand over the vacant possession of the demised premises to the respondent-landlord.

6. In view of the above, while affirming the decisions of the Courts below, the present revision petition is disposed of in the following terms:-

(i) The petitioner shall hand over the vacant possession of the demised premises to the respondent-landlord on or before 01.09.2024.

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- (ii) The rent, as assessed by the Courts below, shall be continued to be paid to the respondent-landlord.
- (iii) Parties to the present petition shall remain bound by the statements given by them in the Court today.
- (iv) In case of any violation by the petitioner of the undertaking given in the Court, the respondent would be at liberty to seek possession of the demised premises by filing execution/contempt or other proceedings as may be available in law.

(VIKRAM AGGARWAL)
JUDGE

01.09.2023
Prince Chawla

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No