

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

128

CR-4925-2023 (O&M)
Date of decision : 20.09.2023

Radha Rani

Petitioner

V/S

Harjinder Singh

Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Ravish Bansal, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The petitioner/tenant has filed the present revision petition against impugned order dated 02.08.2022 passed by learned Rent Controller, Moga whereby the eviction petition filed by the respondent/landlord has been allowed on the ground of bona fide necessity and the petitioner/tenant was directed to handover the vacant possession of the demised premises to the respondent/landlord within a period of two months and order dated 05.08.2023 passed by learned Appellate Authority, Moga whereby an appeal filed by the petitioner/tenant against order dated 02.08.2022 has been dismissed.

2. After arguing the case for sometime, learned counsel for the petitioner, on instructions of the petitioner, confines his prayer for grant of some reasonable time to vacate the demised premises. He submits that the demised premises shall be vacated by the petitioner on or before 20.03.2024 and he will continue to pay the monthly rent and other sundry charges, if any, by 7th of each month till the vacant

possession of premises is handed over to the respondent. He further submits that the petitioner shall file the undertaking before the Rent Controller, Moga within a period of 02 weeks from today. He further submits that connected revision petition bearing No.CR-2400-2021 filed by the petitioner whereby dispute regarding assessment of rent @ Rs.3,000/- per month, is also pending consideration before this Court for 19.02.2024.

3. In view of above, the petitioner/tenant is directed to file an undertaking before the Rent Controller, Moga within a period of 02 weeks from today that he will vacate the premises on or before 20.03.2024 and will pay the monthly rent @ Rs.3,000/- and other sundry charges, if any, to the respondent/landlord subject to outcome of revision petition bearing No.CR-2400-2021, with regard to the payment of rent only.

4. 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.

5. The present petition stands disposed of accordingly.

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

7. Given the nature and facts of this case, this Court is not inclined to issue notice to the respondent to avoid unnecessary expenditure which he will incurred for his appearance and to engage a counsel.

8. Needless to say that the respondent/landlord would be at liberty for recalling of this order by moving an appropriate application, if so aggrieved.

9. Learned counsel for the petitioner is directed to place on record a copy of the undertaking to be produced before the Rent Controller, Moga within one month in the Registry.

20.09.2023

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No