

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

129

CR-6064-2023 (O&M)

Decided on : December 11, 2023

RAJINDER KUMAR SACHDEVA

..... Petitioner

Versus

GYAN PRAKASH

..... Respondent

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Pankaj Nanhera, Advocate with
Mr. Yogesh Vashista, Advocate
for the petitioner.

Mr. Adarsh Saini, Advocate for the respondent.

NAMIT KUMAR, J. (Oral)

1. The present Revision Petition has been preferred by the petitioner/tenant against Judgement dated 24.08.2023 passed by the court of learned Additional District Judge, Hisar whereby the appeal filed by the respondent/landlord against the Judgement dated 03.02.2020 passed by court of learned Rent Controller, Sub Division-Hansi, has been decreed by reversing the aforesaid judgement dated 03.02.2020, vide which the eviction petition filed by the respondent/landlord was dismissed, and the petition filed by the respondent/landlord has been partly decreed on the ground of *bona fide* necessity and the petitioner/tenant has been directed to handover the vacant possession of the demised premises/shop to the respondent/landlord within a period of two months with further direction to pay arrears of rent @ Rs.3,000/- per month from 31.10.2018 till 24.08.2023.

2. After arguing the case for sometime, learned counsel for the petitioner, on instructions from the petitioner, who is present in the Court, 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

within four months i.e. on or before 11.04.2024 and they will continue to pay the monthly rent and other sundry charges/*mesne* profits, if any, by 7th of each month till the vacant possession of demised premises is handed over to the respondent/landlord. He further submits that the petitioner shall file the undertaking before the Rent Controller, Hansi within a period of two weeks from today. The submission made by learned counsel for the petitioners has not been disputed by learned counsel for the respondent.

3. In view of the above, the petitioner/tenant is directed to file an undertaking before the Rent Controller/Executing Court, Hansi within a period of 02 weeks from today that he will vacate the premises on or before 11.04.2024 and will pay the monthly rent and other sundry charges/*mesne* profits, in terms of Judgement dated 24.08.2023 passed by learned Appellate Authority, Hisar, to the respondent/landlord.

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. Learned counsel for the petitioner is directed to place on record a copy of the undertaking to be produced before the Rent Controller/Executing Court, Sub Division - Hansi, within one month in the Registry.

6. The present petition stands disposed of accordingly.

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

December 11, 2023

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*