

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

128

CR-6614-2023 (O&M)

Date of Decision: 06.11.2023

Rajinder Kumar

...Petitioner

Versus

Sandeep Kumar

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Paras Jagga, Advocate for the petitioner.

Mr. S.K. Jain, Advocate for
Mr. Abhimanyu Garg, Advocate for the respondent.

HARKESH MANUJA, J. (oral)

1. Present revision petition is directed against the eviction order dated 09.10.2017 passed by Rent Controller, SAS Nagar and affirmed by Appellate Authority, SAS Nagar, vide its judgment dated 12.09.2023.

2. After arguing for sometime, learned counsel for the petitioner submits that he does not press the present petition on merits, however, prays that since the petitioner is in occupation of the demised premises for the past more than 20 years and has been earning his livelihood from the shop in question, thus, he may be given reasonable time to make an arrangement of alternate premises for setting up of his business.

3. Learned counsel for the respondent does not dispute the innocuous prayer made by the learned counsel for the petitioner.

4. In view of the agreed stand taken by learned counsel for the parties, eviction order dated 09.10.2017 passed by Learned Rent Controller, SAS Nagar and affirmed in appeal by the Appellate Authority, SAS Nagar, vide its judgment dated 12.09.2023 is hereby confirmed, however, subject to following conditions:-

- i) the petitioner shall hand over vacant possession of the tenanted premises to the respondent/landlord within a period of eight months from today;
- ii) the petitioner shall furnish an undertaking before the Rent Controller, SAS Nagar, within fifteen days from today that he will hand over vacant possession of the tenanted premises to the respondents within a period of 08 months ; 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 pay the rent by seventh of each month, till the vacation of demised premises.

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

6. The present revision petition stands disposed of accordingly.

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

(HARKESH MANUJA)
JUDGE

06.11.2023
Mangal Singh

Whether Speaking / Reasoned :	Yes	No
Whether Reportable :	Yes	No