

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

270

CR-56-2023 (O&M)

Date of decision : 25.01.2023

Khushal Chand

... Petitioner

Versus

Sadhna Rani and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Tanmoy Gupta, Advocate for respondent No.1.

Anupinder Singh Grewal, J. (Oral)

CM-190-CII of 2023

This is an application seeking condonation of delay of 258 days in refiling the petition.

Issue notice in the application to the counsel for the respondents.

Mr. Tanmoy Gupta, Advocate has put in appearance on behalf of respondent No.1/landlady and states that he has no objection if the application is allowed and delay is condoned.

Heard. For the reasons stated in the application, the same is allowed and delay of 258 days in refiling the petition is condoned.

CM-191-CII of 2023

Allowed as prayed for.

Main case

The petitioner has challenged the judgments of the Rent Controller as well as the Appellate Court whereby eviction from the premises has been ordered on the ground of *bonafide* necessity of the respondent-landlord.

Learned counsel for the petitioner/tenant submits that he is confining the prayer in this petition to the grant of reasonable time to vacate the premises.

Heard.

The petitioner has been carrying out his business from the premises for over 40 years and the respondent, who is based in Singapore, sought eviction of the premises on the ground of *bonafide* necessity.

After hearing learned counsel for the parties, I am of the considered view that it would be in the interest of justice if the petitioner is allowed to continue in the premises for a period of fifteen months.

Learned counsel for the parties are *ad idem* that the petitioner may be allowed to retain the premises till 30.04.2024 and pay the arrears of rent within three months. He shall also pay the rent till the vacation of the premises on 7th day of each month.

Consequently, the petition is disposed of with a direction that the petitioner shall hand over the vacant possession of the premises on or before 30.04.2024 and he shall also pay the the arrears of rent within three months from now. The petitioner shall also file an undertaking in the form of an affidavit to this effect before the Executing Court and he shall also abide by all the terms and conditions as set out in the affidavit.

Pending application, if any, shall also stand disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

January 25, 2023
sonia gugnani

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