

CR-8206-2019 (O&M)

323(main case)

IN THE HIGH COURT OF PUNJAB AND
HARYANA AT CHANDIGARH

CR-8206-2019 (O&M)

Decided on:-18.10.2023

Vijay Kumar (deceased) thr. his LR's.

....Petitioner.

vs.

Gurudwara Rattgarh Sahab thr. its representatives

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikas Garg, Advocate with
Mr. Akshay Jindal, Advocate,
for the petitioner.

Mr. Avnish Mittal, Advocate with
Ms. Ishika Jain, Advocate for the respondent.

HARKESH MANUJA J. (Oral)

1. Present revision petition is directed against the eviction order dated 08.12.2017 passed by the Rent Controller, Naraingarh, District Ambala and affirmed by the learned Appellate Authority, Ambala, vide its judgment dated 12.09.2019.

2. After arguing for sometime, learned counsel for the petitioner states that he does not press the present petition on merits, however prays that the legal representatives of petitioner (deceased) have been earning their livelihood from the shop in question and thus, they may be given reasonable time to make an arrangement of alternative accommodation for setting up of their business.

3. In view of the above, eviction order dated 08.12.2017 passed by the Rent Controller, Naraingarh, District Ambala and affirmed in appeal by

the Appellate Authority, Ambala vide its judgment dated 12.09.2019 is hereby confirmed, however, subject to following conditions:-

i) the legal representatives of petitioner(deceased) shall hand over vacant possession of the tenanted premises to the respondent on or before 17.10.2024;

ii) the legal representatives of petitioner(deceased) shall furnish an undertaking before the Rent Controller, Naraingarh, within fifteen days from today that they will hand over the vacant possession of the tenanted premises to the respondent on or before 17.10.2024; and

iii) the legal representatives of petitioner(deceased) shall clear all 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 arrears by seventh day of each month, till 17.10.2024.

4. Failure to comply with either of the conditions by the LR's of the petitioner would entitle the respondent to execute the eviction order forthwith.

5. The present revision petition stands disposed of accordingly.

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

18.10.2023

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(HARKESH MANUJA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No