

CR-553-2020 (O&M)

115+323(a) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-15148-CII-2023 in/and
CR-553-2020 (O&M)
Decided on:-18.10.2023

Radhey Sham

....Petitioner.

vs.

Gurudwara Rattan Sahab, Naraingarh
thr. its representatives

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kuldeep Singh, Advocate and
Mr. D.V. Dhindsa, Advocate for
Mr. Sukhwinder Singh Nara, Advocate for the petitioner.

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

HARKESH MANUJA J. (Oral)

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Prayer in the present application is for impleading the legal
representatives of petitioner-Radhey Sham (deceased).

Notice of the application.

Mr. Avnish Mittal, Advocate accepts notice on behalf of the
non-applicant-respondent and raises no objection to the application for
impleading the LRs. of deceased-petitioner.

For the reasons mentioned in the application, which is duly
supported by an affidavit, same is allowed and persons mentioned in para 2
of the application are ordered to be impleaded as legal representatives of
petitioner(deceased), for the purpose of pursuing the present revision

petition.

Amended memo of parties is taken on record.

Main case

1. Present revision petition is directed against the eviction order dated 26.02.2018 passed by the Rent Controller, Naraingarh, District Ambala and affirmed by 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 26.02.2018 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 the following conditions:-

i) the legal representatives of petitioner(deceased) shall hand over the 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

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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 of rent 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