



125-2
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA-737-2023 (O&M)
Date of Decision : 22.07.2024

Mridula Goyal ... Appellant(s)

Versus

Shri Sanatan Dharam Education Society ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. V.K. Jindal, Senior Advocate with
Mr. Pankaj Gautam, Advocate for the appellant.

Mr. Baldev Raj Mahajan, Senior Advocate with
Ms. Amrita Nagpal, Advocate for the caveator-respondent.

ALKA SARIN, J. (Oral)

1. After arguing for some time and on realizing that this Court is not agreeing with the arguments raised by the learned senior counsel for the appellant, the learned senior counsel, on instructions from Mr. Anuj Goyal, son of the appellant, states that the appellant who is running a business of textiles in the premises may be granted reasonable time to vacate the premises.
2. The learned senior counsel appearing for the caveator-respondent on instructions from Mr. Naresh Kumar, Secretary of the respondent-Society, states that they would have no objection if some time is granted to the appellant to vacate the premises subject to the condition that the appellant pays reasonable market rent for the use and occupation of the premises.

3. In view of the statements made by the learned senior counsel for the parties, the present appeal is disposed off with a direction that the appellant shall vacate the premises within a period of one and a half years i.e. on or before **31.01.2026**. The appellant shall also clear all the arrears of rent upto date. W.e.f. 01.08.2024 the appellant shall pay an amount of Rs.50,000/- per month by the 7th of every month towards use and occupation of the premises till the time vacant possession is handed over to the landlord-respondent. In this regard, the statements of both the parties have been recorded separately today. It is made clear that in case there is any default in payment of the said amount of Rs.50,000/- per month, this appeal shall be deemed to having been dismissed and the respondent-landlord shall be at liberty to get the judgments and decrees executed in accordance with law.
4. Disposed off accordingly. Pending applications, if any, also stand disposed off.

22.07.2024
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO