

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-1966-2023 (O&M)
Date of decision : 15.02.2024

Kailash Rani & Ors. ... Petitioner(s)

Versus

Gurdial Singh (since deceased) through LRs ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Amit Jain, Senior Advocate with
Mr. Varun Parkash, Advocate for the petitioners.

Mr. Aayush Gupta, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

1. After arguing for sometime, learned senior counsel appearing on behalf of the petitioners states that he does not wish to press the present revision petition on merits. He, however, prays that the petitioners be granted time upto 31.05.2025 to hand over vacant possession of the premises in dispute to the landlord-respondent in view of the fact that they are running a business in the said premises. The learned senior counsel, on instructions, further states that the petitioners are willing to clear all the arrears of rent on or before 31.03.2024 and to pay mesne profits for the use and occupation of the shop @ Rs.5,000/- per month by the 7th of every month starting from 01.02.2024 till the time the petitioners vacate the premises i.e. on or before 31.05.2025.

2. Learned counsel for the respondents, on instructions from respondent No.1(i) who is present in Court, states that she is willing to grant time to the petitioners to vacate the premises upto 31.05.2025 provided that mesne profits for the use and occupation of the shop @ Rs.5,000/- per month are paid by the petitioners and the petitioners clear all arrears of rent on or before 31.03.2024.

3. In view of the stand taken by the learned counsel for the parties, the present petition is disposed off as not pressed on merits. The petitioners are, however, granted time to hand over peaceful vacant possession of the premises in dispute to the respondent-landlord on or before 31.05.2025. The mesne profits for the use and occupation of the shop @ Rs.5,000/- per month would be paid by the 7th of every month starting from 01.02.2024 till the time the petitioners vacate the premises i.e. on or before 31.05.2025. The petitioners shall also clear all arrears of rent on or before 31.03.2024. The petitioners shall also file an undertaking to the same effect, signed by all the four petitioners, before the Rent Controller within a period of one month from today. The statements of petitioner No.3 and respondent No.1(i), who are present in Court, have been recorded separately qua the settlement arrived at. The parties shall remain bound by their statements. It is made clear in case the undertaking is not filed before the Rent Controller within a month from today, the present revision petition would be deemed to having been dismissed and the respondent-landlord would be at liberty to get the premises vacated in accordance with law.

4. Disposed off in the above terms. Pending applications, if any, also stand disposed off.

15.02.2024
Yogesh Sharma

(ALKA SARIN)
JUDGE

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