



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

137

CR-2274-2024 (O&M)
Date of Decision : 16.12.2024

KULWANT RAI Petitioner

VERSUS

DHANPAT RAI AND ANR Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Vaibhav Sehgal, Advocate for the petitioner.
Mr. Chanakya Batta, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

1. On 03.10.2024 the following order was passed :

'Learned senior counsel appearing on behalf of the petitioner, on instructions, states that he does not wish to press the present revision petition. However, he states that the petitioner may be granted some time to vacate the premises.

Notice of motion to this limited extent, returnable 16.12.2024. Dasti as well.

The petitioner is at liberty to serve the respondents through the counsel representing them before the Court concerned.

Meanwhile, dispossession of the petitioner shall remain stayed till the next date of hearing.

To be shown in the urgent list. '

2. Learned counsel for the respondents states that the respondents would have no objection in granting some reasonable time to the petitioner to vacate the premises provided that the petitioner pays the market rent till such time he hands over vacant possession of the property.
3. Learned counsel for the parties are *ad idem* that the entire arrears of rent have been duly paid upto date.
4. Learned counsel for the petitioner states that the market rent for the property in the vicinity is about ₹4,000 per month. The said fact is dispute by the learned counsel for the respondents who states that the market rent for the property in the vicinity is about ₹6,000 per month.
5. In view of the varying stands taken by both the learned counsel, this Court deems it appropriate to fix the rent @ ₹5,000 per month.
6. Learned counsel for the petitioner, on instructions from the petitioner, states that the petitioner is ready to pay the rent @ ₹5,000 per month till the time he hands over vacant possession of the premises to the respondents.
7. Learned counsel for the respondents, on instructions from the respondents, states that the respondents are willing to accept ₹5,000 per month as rent for use and occupation of the property till vacant possession of the same is handed over to them.
8. In view of the statements made by the learned counsel for the parties, the petitioner is granted a period of six months from today i.e. on or before **15.06.2025** to vacate the premises and to hand over vacant possession

of the same to the respondents. Starting from 01.01.2025 the petitioner shall pay an amount of ₹5,000 per month as rent for use and occupation of the premises till the date he hands over vacant possession of the same to the respondents i.e. on or before 15.06.2025. The rent shall be paid by the 7th of every month. An undertaking with regard to vacation of the premises on or before 15.06.2025 and payment of rent @ ₹5,000 per month w.e.f 01.01.2025 shall be given by the petitioner before the Rent Controller concerned within a period two weeks from today.

9 It is made clear that in case the undertaking is not filed as directed, the present revision petition shall be deemed to having been dismissed.

10. Disposed off. Pending applications, if any, also stand disposed off.

16.12.2024

Aman Jain

(ALKA SARIN)

JUDGE

*NOTE: Whether speaking/non-speaking: Speaking
 Whether reportable: Yes/No*