

CR-2420-2024 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.122-1

CR-2420-2024 (O&M)
Date of Decision: 07.05.2024

JASPREET SINGH GILL AND ANOTHER

....Petitioners

Versus

KRISHAN LAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Tanvir Singh Attariwala, Advocate
for the petitioners.

Mr. Amit Kumar Saini, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

Today, learned counsel for the respondent has placed on record certain photographs, depicting the condition of the roof having the bricks lying there, as well as, inside the demised premises, which are taken on record.

Learned counsel for the petitioners gives an undertaking to remove the scattered bricks on the roof of the demised premises and also any other kind of bajri, sand or malba, within a period of fifteen days from today onwards. Furthermore, he makes a submission that there is pile of about 1000 bricks lying on one side of the roof and relating to the same, he submits that to avoid any seepage of any kind to the roof of the demised premises, he gives an undertaking at the behest of the petitioner to stack the said bricks on the iron rack having a height of atleast 1 feet from the base of the roof of demised premises.

CR-2420-2024 (O&M)

The aforesaid offer made by learned counsel for the petitioner is acceptable to learned counsel for the respondent. However, learned counsel for the respondent further makes a request that in the eventuality of initiating the construction process on the first floor of the demised premises, he submits that a direction be given to the petitioner, not to initiate the construction process in the rainy season. This request is also acceptable to learned counsel for the petitioner/landlord.

In the given circumstances, it is hereby ordered that if the petitioner intends to raise construction on the first floor of the demised premises, he shall not begin the construction process during the period w.e.f. 01.06.2024 to 15.08.2024. In the light of the same, to avoid hardship to the landlord also, the impugned order dated 27.02.2024 is hereby set aside completely.

However, the parties shall remain bound by the undertaking given by their respective counsel and in the eventuality of non-compliance of the undertaking, the parties have the option to initiate contempt proceedings.

In view of the aforesaid terms, the instant revision petition is hereby disposed of.

07.05.2024

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(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No