



116

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3907-2024 (O&M)

Date of decision: 17.09.2024

Manjit Kaur

...Petitioner

Versus

Rajinder Kumar @ Rajinder Captain

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Prateek Sodhi, Advocate and
Ms. Tapinder Kaur, Advocate and
Mr. Manoj Singla, Advocate and
Mr. Sourav Garg, Advocate for the petitioner.

Mr. Divanshu Jain, Advocate for the respondent.

VIKAS BAHL, J. (ORAL)

1. Challenge in the present revision petition is to the judgment dated 04.05.2024 vide which the Appellate Authority had set aside the judgment dated 06.01.2023 passed by the Rent Controller and had allowed the eviction petition filed by the respondent on the ground of arrears of rent and bona fide necessity.

2. Learned counsel for the petitioner, during the course of arguments, has submitted that the petitioner would withdraw the present revision petition but has sought time to vacate the premises and to shift to another premises. It has been stated that the petitioner is a tenant in the



premises since 01.11.1998.

3. Learned counsel appearing on behalf of the landlord has submitted that in case the petitioner wishes to continue in possession for some months then he should pay something more than the rent which he is liable to pay.

4. During the course of arguments, learned counsel for the petitioner and learned counsel for the respondent, on instructions from their respective clients, have come to a common understanding that the petitioner be permitted to withdraw the present revision petition with the following directions:-

- i) The petitioner would vacate the premises and would hand over the keys of the premises to the respondent on or before 17.05.2025.
- ii) The petitioner would pay an amount of Rs.10,000/- per month from the month of September, 2024 up to the period the petitioner stays in occupation, on or before 21st of every month.
- iii) The petitioner would pay the arrears of rent at the rate of Rs.800/- per month w.e.f. March, 2009 till August, 2024 within a period of three months from today.
- iv) The petitioner would file an undertaking on the said three aspects before the Executing Court within a period of three weeks from today with an advance copy to counsel for the landlord in the Executing Court.



5. It is made clear that in case the petitioner does not submit the said undertaking or does not comply with any of the abovesaid conditions then it would be open to the respondent to seek immediate possession of the premises in question from the petitioner by applying for police help in addition to taking recourse to other proceedings including the Contempt of Courts Act.

6. In view of what has been observed above, the present revision petition is disposed of.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

17.09.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No