

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

CR No.7446 of 2023 (O&M)

Date of Decision: 05.11.2024

NEETA GOYAL

.....Petitioner

Versus

ABBEY FOOD STAR RESTAURANTS PRIVATE LIMITED AND
ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kunal Mulwani, Advocate
for the petitioner.

Mr. R.D. Gupta, Advocate and
Mr. Vicky Chauhan, Advocate,
for the respondents.

VIKAS BAHL, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India praying for setting aside the impugned order dated 06.11.2023 (Annexure P-13) passed by the Appellate Authority under the Rent Act, Gurugram, whereby the appeal filed by the respondent/tenant against the order dated 08.09.2023 passed by the Rent Controller assessing the provisional rent has been allowed.

2. On 21.10.2024, this Court was pleased to pass the following order:

*“Present:- Mr. Kunal Mulwani, Advocate
for the petitioner.*



*Mr. Ankur Mahindro, Advocate, and
Mr. Mohit Dagar, Advocate
for respondents No.1 and 2. (Through VC).*

1. This is a civil revision petition filed under Article 227 of the Constitution of India for setting aside the impugned order dated 06.11.2023 (Annexure P-13) passed by the Appellate Authority under the Rent Act, Gurugram, whereby the appeal filed by the respondent/tenant against the order dated 08.09.2023 passed by the Rent Controller assessing the provisional rent has been allowed.

2. During the course of arguments, learned counsel for the petitioner as well as learned counsel for respondents No.1 and 2, after getting instructions from their respective parties, have arrived at a consensus in the following terms:-

(i) Respondents No.1 and 2 would make every endeavour to vacate the premises as expeditiously as possible and in any case by 31.10.2025.

(ii) Respondents No.1 and 2 would further pay rent of Rs.1,70,000/- per month starting from November, 2024 up to the time the respondents No.1 and 2 are in possession of the premises. The said rent would be paid on or before 10th of every month.

(iii) In view of the above, the petitioner would not claim arrears of rent as per the registered lease deed.

(iv) Respondents No.1 and 2 would also not damage the property in question.

(v) It has been agreed that there would be no other claim raised by either of the parties against each other, other than the above-said agreed terms.



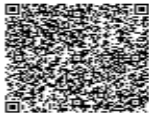
2. Learned counsel for the petitioner as well as learned counsel for respondents No.1 and 2 pray for a short adjournment to file affidavits of the respective parties affirming the above-said facts. It is prayed that once the said affidavits are filed, the present revision petition be disposed of in terms of the above-said compromise, which would be duly reflected in the affidavits.

4. Adjourned to 05.11.2024.

5. To be shown in the urgent list.”

3. Learned counsel for the petitioner as well as learned counsel for the respondents have submitted their respective affidavits, which are taken on record as Mark 'A' and Mark 'B' respectively, in compliance to the earlier order passed by this Court. Learned counsel for the petitioner as well as learned counsel for the respondents have further submitted that they have gone through the affidavits submitted by the other party and have satisfied themselves with the contents of the same and have jointly prayed that the present revision petition be disposed of in terms of the compromise as mentioned in the order dated 21.10.2024 and as reflected in the affidavits filed by the petitioner as well as the respondents. It is further submitted that both the parties would be bound by the terms of the compromise as reflected in the order dated 21.10.2024 as well as the averments made in their respective affidavits.

4. Keeping in view the above said facts and circumstances, the present revision petition is disposed of in terms of the compromise which has been duly reflected in the order dated 21.10.2024 and also in the affidavits of both the parties and both the parties would be bound by the



said terms of compromise and also the averments made in the affidavits.

5. All the pending miscellaneous applications, if any, shall stand disposed of in view of the above said order.

(VIKAS BAHL)
JUDGE

05.11.2024
pawan/sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No