

2024:PHHC:169655



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CR-7146-2024 (O&M)
Date of decision: 13.12.2024

Amarjit Singh
...Petitioner

Versus

Pawan Kumar Chopra and others
...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. V.K. Sandhir, Advocate for the petitioner.

Mr. Gursimranjit Singh, Advocate for
Mr. A.P.S. Sandhu, Advocate for the caveator-respondents.

VIKAS SURI, J.

1. Through this revision petition under Section 15(5) of the East Punjab Urban Rent Restriction Act, 1949, the petitioner-tenant assails the eviction order dated 10.04.2024 passed by learned Rent Controller, Amritsar, as well as the judgment dated 29.10.2024 affirming the findings of the Rent Controller with regard to *bona fide* necessity of the landlords.
2. Respondent-landlords are on caveat represented by Mr. Gursimranjit Singh, Advocate for Mr. A.P.S. Sandhu, Advocate.
3. After arguing for some time and realizing the outcome in the light of plethora of judicial pronouncements noticed by the learned Appellate Authority, learned counsel for the petitioner states that he has



been a tenant in the shop in question since the year 2000 and on being granted reasonable time to make arrangements of alternative accommodation, he would not press the present petition on merits and as such, rest his case.

4. Learned counsel representing the respondents submits that the landlords have no objection to the aforesaid prayer made on behalf of the petitioner and in case the petitioner wishes to retain the possession for six months, then he should pay *mesne profits*.

5. During the course of hearing, learned counsels for the parties, on instructions from their respective clients, have amicably and voluntarily come to a common understanding that the petitioner does not press the present revision petition, subject to the following conditions:-

- (i). The petitioner would vacate the demised premises and hand over vacant possession to the respondent on or before 31.05.2025.
- (ii). The petitioner would pay an amount of Rs.15,000/- per month as *mesne profit* beginning from the month of November, 2024 till the delivery of vacant physical possession.
- (iii). The petitioner would pay the arrears of *mesne profits* upto the month of December, 2024 by 31.12.2024 and thereafter, *mesne profits* would be paid on or before 7th day of every month in advance.
- (iv). The petitioner would remit the aforesaid amount online through bank transfer in the bank account of the respondent-landlords detailed hereunder:-

Account Holder Name: Pawan Chopra



S.B. Account No.: 30307884251
IFSC Code: SBIN0004630
Bank/Branch: State Bank of India,
Atta Mandi, Amritsar.

- (v). The petitioner would file an undertaking on the aforesaid aspects before the Rent Controller/ Executing Court within a period of four weeks from today with an advance copy to counsel for the respondents.
6. It is made clear that in case the petitioner fails to file the aforesaid undertaking or does not comply with any of the aforesaid conditions, then it would be open to the respondent-landlords to seek vacant physical possession of the demised premises by applying for police help at the first instance in addition to taking recourse to other proceedings including Contempt of Courts Act.
7. In view of the above, the impugned orders dated 10.04.2024 and 29.10.2024 are confirmed, subject to the abovesaid conditions.
8. The revision petition is disposed of in the aforesaid terms.
9. Pending applications, if any, also stand disposed of.

December 13, 2024
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes / No
Whether Reportable : Yes / No