



CR No. 3181 of 2025

IN THE HIGH COURT OF PUNJAB AND HARYANA ATCHANDIGARH

CR-3181-2025 (O&M)
Decided on : 26.05.2025

Fakeer Chand

.....Petitioner

Versus

Hindu Siksha Samiti, Sanskriti Bhawan,
District Kurukshetra

.....Respondent

CORAM : HON'BLE MR.JUSTICE DEEPAK GUPTA

Present: Mrs. Kiran Bala Jain, Advocate with
Ms. Anjali Rani, Advocate,
for the petitioner.Mr. Prateek Mahajan, Advocate with
Mr. Mayank Vashishth, Advocate,
for the caveator.

DEEPAK GUPTA, J.

Rent petition under Section 13 of the Haryana Urban (Control of Rent and Eviction) Act, 1973 was filed by landlord – Hindu Siksha Samiti (*respondent herein*) seeking ejectment of the tenant – Fakeer Chand on the ground of non-payment of the house-tax; the demised shop having become unfit for human habitation; and bonafide necessity. The petition was filed in January, 2015 and the same was resisted by the tenant.

2. Learned Rent Controller vide its order dated 31.05.2019, though declined the ejectment on the ground of non-payment of rent; or the premises having become unfit for human habitation but allowed the ejectment on the ground of bonafide necessity of the landlord. The tenant was granted the period of five months so as to vacate the premises as per the order dated 31.05.2019. The appeal filed by the tenant has been dismissed by the Appellate Authority by way of the impugned order dated 17.03.2025.

3. Though this revision was filed assailing the aforesaid concurrent findings, but today before this Court, Mrs. Kiran Bala, Advocate



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representing the tenant-petitioner herein, at the outset, stated that she does not press the petition on merits. She prays for grant of reasonable time to the petitioner to vacate the demised shop, submitting that he is in possession of the same for considerable time and requires at least one year to search for an alternative shop.

4. Counsel for the respondent-landlord has opposed the aforesaid prayer to grant one year to vacate the demised shop, though he has no objection to give reasonable time to the petitioner to vacate the same.

5. The period of one year as sought by the learned counsel for the petitioner for vacating the shop by the petitioner is absolutely unreasonable. As noticed earlier that ejectment petition was filed in January, 2015 and the same was allowed in May, 2019 and five months' time was granted to the tenant to vacate the shop. Instead of vacating the shop, he filed the appeal, which was dismissed on 17.03.2025.

6. Considering all the facts and circumstances and the fact that petitioner is running his shop for the last several years, he is granted time so as to vacate the demised shop up to 30.11.2025, subject to the condition that he shall clear all the arrears of rent, if any, and will also continue to pay the future rent by the 7th of every month up to 30.11.2025. It is further made clear that in case petitioner fails to comply with the said directions; or fails to vacate the demised shop on or before 30.11.2025, the petitioner-tenant will have to pay user charges/ mesne profits @ ₹50,000/- per month from 1.12.2025 onwards till the demised shop is actually vacated.

Disposed of accordingly.

(DEEPAK GUPTA)
JUDGE

26.05.2025

Jiten

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