



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

111

CR-3370-2022 (O&M)
Date of decision: 17.04.2026

Inder Raj Jolly (since deceased) through LRs.

...Petitioner

V/s

Principal DAV College, Ambala City and another

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Yogesh K. Saini, Advocate, for the petitioner.

Mr. Rajesh Kataria, Advocate, for the respondents
(through video conference)

VIKRAM AGGARWAL, J (ORAL)

The present revision petition assails the order 12.03.2018 passed by the Court of Rent Controller, Ambala, vide which the ejectment petition filed by the respondents-landlords was allowed and the order dated 04.03.2022 passed by the Appellate Authority, Ambala, vide which the appeal instituted by the petitioner/tenant (Inder Raj Jolly) against the order dated 12.03.2018 passed by the Court of Rent Controller, Ambala, was dismissed.

2. At the time of the issuance of notice of motion on 05.12.2022, the following order was passed by a coordinate Bench:-

“Learned counsel for the petitioners would contend that the documents (Ex.P3 and Ex.P14) on the basis of which the petition was filed were not proved as per the provisions of the Indian Evidence Act, 1872.

Notice of motion returnable 22.03.2023.

Meanwhile, dispossession of the petitioners shall remain stayed subject to payment of Rs.5,000/- per month towards use and occupation of the premises from the date of passing of the order of eviction i.e. 12.03.2018 which shall be cleared within a month from today. The future

use and occupation charges @ Rs.5,000/- per month shall be paid/deposited by the petitioners by the 7th of every month. The said assessment is provisionally being made on the statement of learned counsel for the petitioners on instructions from the petitioners that the shops in the vicinity are fetching an amount of Rs.3500/- to Rs.5000/- per month.”

3. On 25.03.2026, the following order was passed by this Court:-

“Learned counsel for the petitioner, on instructions, submits that the petitioner does not challenge the impugned orders dated 12.03.2018, passed by the Court of Rent Controller, Ambala and dated 04.03.2022 passed by the Appellate Authority, Ambala, on merits, and four weeks’ time be granted to hand over vacant possession of the demised premises to the respondents.

Learned counsel for the respondents is agreeable to the same.

The petitioner (through LRs) is directed to file an affidavit in this regard on or before the next date of hearing.

Adjourned to 06.04.2026.

To be taken up in the urgents.”

4. In compliance with the said order, affidavit of petitioner No.1 (Sunil Jolly) has been filed, which is taken on record. The contents of the affidavit are as under:-

“1. That the deponent is conversant with the facts of the case and is competent to file the present affidavit in compliance of order dated 25.03.2026 passed by this Hon'ble Court.

2. That the deponent is the tenant in the shop no. 12 located on the DAV College Road, Ambala fully described in the eviction petition (hereinafter referred to as the 'Tenanted Premises').

3. That the deponent voluntarily undertakes to vacate and handover peaceful, vacant and physical possession of the tenanted premises within a period of 4 months from the passing of the order by this Hon'ble Court.

4. That the deponent further undertakes to clear all arrears of rent, if any up to date of vacation.

5. That the deponent has not filed any other such or similar affidavit either before this Hon'ble Court or the Hon'ble Supreme Court of India.

6. *The copy of the Aadhaar Card and the Power of Attorney are already appended with the main petition i.e., CR 3370 of 2022 which is pending for 06.04.2026.*

5. Learned counsel for the petitioner submits that the order dated 05.12.2022 shall be complied with in letter and spirit. He further submits that in terms of the affidavit, vacant possession of the demised premises shall be handed over to the respondents-landlords within a period of four months.

6. In view of the aforesaid statements given by learned counsel for the parties, while affirming the decision of the Courts below, this petition is disposed of with the following directions:-

i) The petitioner shall hand over the vacant possession of the demised premises to the respondents-landlords within a period of four months from 25.03.2026.

(ii) The rent/mesne profits, as assessed vide order dated 05.12.2022, shall be continued to be paid to the respondents-landlords.

(iii) Parties to the present petition shall remain bound by the statements given by them in the Court today.

(iv) In case of any violation by the petitioner of the undertaking/affidavit given in the Court, the respondents-landlords would be at liberty to seek possession of the demised premises by filing execution/contempt or other proceedings as may be available in law.

Pending application(s), if any, also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

April 17, 2026

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