2026:UHC:10677

HIGH COURT OF UTTARAKHAND AT NAINITAL

CIVIL REVISION No. 151 of 2026

(under Section 25 of the Provincial Small Cause Courts Act, 1887)

Dated : 20th November, 2026

Harendra Singh Rawat ..Revisionist

Versus

Jiyaur Rehman --Respondent

Presence:-

Mr. Devesh Ghildiyal, learned counsel holding brief of Mr. M.S. Bisht, learned counsel for the revisionist.

Mr. Hari Mohan Bhatia, learned counsel for the respondent.

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1. The revisionist has assailed the order dated 27.07.2026, passed by the learned Small Cause Court Judge / Additional District Judge, Kotdwar, District Pauri Garhwal in SCC Suit No.16 of 2025, “Jiyaur Rehman vs. Harinder Singh Rawat”, whereby the suit filed by the respondent / plaintiff was decreed and the revisionist was directed to hand over the possession of the rented accommodation within a period of 30 days. The revisionist was directed to pay an amount of ₹60,800/- towards arrears of rent and was further directed to pay ₹3,000/- per month as occupation charges from the date of filing of the suit till the possession is handed over to the respondent.

2. An affidavit has been filed in the revision, wherein the revisionist has contended that the shop in question is the only source of livelihood and the children of the revisionist are

pursuing their studies. As such, it has been prayed that a period of two and a half years may be granted to the revisionist to vacate the premises in question and to hand over the peaceful possession to the respondent / landlord.

3. The revisionist has further stated that the rent as was paid by the revisionist to the landlord may be directed to be paid till the property is vacated.

4. Learned counsel for the respondent has filed an affidavit / objection to the said application, wherein it has been stated that the time sought by the revisionist for vacating the premises within a period of two and a half years is on higher side and the respondent has no objection, in case, the revisionist is granted a period of 12 months to vacate the premises.

5. After hearing the learned counsels for both parties, this Court is of the view that ends of justice would met if the revisionist is granted one and a half years' time to vacate the premises.

6. Learned counsel appearing for the revisionist on instructions submits that the revisionist is ready to vacate the premises within a period of one and a half year. The said submission is placed on record.

7. The present civil revision is disposed of in following

terms:

(I) The revisionist shall vacate the premises in question and shall hand over the peaceful possession to the respondent / landlord within a period of one and a half years i.e. the revisionist shall vacate the premises and shall hand over the peaceful possession to the respondent / landlord on or before 30th May, 2028.

(II) The revisionist shall pay the decreetal amount as directed by the learned trial court in its order dated 27.07.2026 to the respondent and shall continue to pay ₹3,000/- per month as occupation charges to the respondent on month-to-month basis.

(III) The revisionist shall pay the amount of ₹3,000/- as occupation charges to the respondent on or before the 7th day of the month. In case of default of any of the conditions mentioned above, the present order would be of no avail to the revisionist and the respondent would be at liberty to proceed against the revisionist in accordance with law for the execution of the order dated 27.07.2026.

8. With these observations, the order dated 27.07.2026, passed by the learned Small Cause Court Judge / Additional District Judge, Kotdwar, District Pauri Garhwal is accordingly modified to the above extent.

(Subhash Upadhyay, J.)
20.11.2026

Pant/