

inderjit Singh Vs.

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Court : Punjab and Haryana

Decided On : Jan-29-2013

Appellant : nderjit Singh

Judgement :

CR 7508/2012(O&M) 1 IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH CR 7508/2012(O&M) Date of decision:29/01/2013 Inderjit SinghPetitioner v.

Paramjit SinghRespondent CORAM: HON'BLE MR.JUSTICE JASWANT SINGH Present:- Mr.Avtar Singh Bhatti,Advocate for the petitioner/tenant.

Mr.Sanjay Majithia,Senior Advocate assisted by Mr.Shailender Sharma,Advocate for the respondent/ landlord.

Jaswant Singh,J(Oral).The petitioner/tenant is in revision under Section 15(5) of the East Punjab Urban Rent Restriction Act,1949 (for short the EPURR Act) against the order dated 8.11.2011 passed by the learned Rent Controller, Dasuya and the order dated 2.11.2012 passed by the learned Appellate Authority, Hoshiarpur affirming the findings whereby the petitioner/tenant has been ordered to be evicted from the demised shop on the ground of personal necessity of the landlord .

At the time of hearing on January 22,2013, learned counsel for the petitioner realising that this Court is not inclined to interfere with the impugned

orderRs.prayed for grant of 1 year's time to vacate the demised shop where the tenant is doing his tailoring business since last 12 years.In response, learned counsel for the respondent had CR 7508/2012(O&M) 2 prayed for time to seek instructions.

At the time of hearing today, learned counsel for the respondent, on instructions, states at the Bar that the respondent has agreed to the grant of 14 months' time to the petitioner to vacate the demised shop, subject to his clearing arrears of rent and continuing to pay the future rent.

The offer made is acceptable to the petitioner.

In view of the agreed stand taken by the learned counsel for the parties, the present revision petition is dismissed as not pressed, however 14 months' time commencing from 1.2.2013 is granted to the petitioner/tenant for making alternative arrangement to shift his business subject to his furnishing an undertaking on or before 28.2.2013 before the learned Rent Controller, Dasuya that he shall hand over actual, physical, vacant and peaceful possession of the demised shop to the respondent/landlord by 31.3.2014.

The petitioner shall also clear arrears of rent, if any, and shall continue to pay future rent in advance by 10th of every calendar month.

Needless to say that any violation of the aforesaid terms shall entitle the landlord to seek petitioner's eviction forthwith with police help, if necessary, without recourse to any other remedy besides the petitioner/tenant making himself liable to be hauled up in contempt proceedings.

29.01.2013.

(Jaswant Singh) Joshi Judge

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