



CR No. 2610 of 2025

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR-2610-2025 (O&M)
Decided on: 21.05.2025

M/s Gupta Plywood through its partner & Ors.

.....Petitioners

Versus

Dharamvir through his LR

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Karanjit Singh, Advocate, for the petitioners.

DEEPAK GUPTA, J.

The tenant of the case is before this Court against the concurrent findings of the Courts below.

2. Petition for ejectment was filed by landlord Dharamvir (*respondent herein*) seeking ejectment of the tenant M/s Gupta Plywood and others (*petitioner herein*) from the demised shop on the ground of personal use and necessity. The ejectment petition was allowed vide an order dated 10.05.2018 and the tenants i.e. petitioners herein were directed to vacate the premises within two months. The said tenants went in appeal. The Appellate Authority dismissed the appeal on 23.01.2025, though granted two months' time to the said tenants to vacate the premises. Still not satisfied, the tenants i.e. petitioners herein have approached this Court.

3. It is contended by learned counsel that the landlord had other property in his occupation and so, the ejectment on the ground of *bonafide* need has been wrongly ordered.

4. As found by the Courts below, the ejectment was sought by the landlord for the personal *bonafide* need of his grandson Divanshu, who

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was earlier employed with someone else and after resigning from his job, he had started helping his father in the business and now wanted to do his own business.

5. It is conceded by learned counsel for the petitioner-tenant herein that grandson of the landlord is not occupying any other premises and is only helping his father in the business.

6. In the above facts and circumstances of the case, this Court does not find any perversity or illegality in the impugned orders and ejectment as ordered by the Courts below, which are based upon proper appreciation of evidence on record, warranting any interference.

7. Faced with the situation, learned counsel submits that petitioners-tenants are in possession of the demised shop for the last more than 40 years and so, a period of at-least one year be provided to vacate the premises.

8. The prayer as made by the learned counsel for the petitioners seeking time of one year for vacating the shop by the petitioners is absolutely unreasonable. As noticed earlier that ejectment petition was allowed in May, 2018; and a period of 7 years has since passed, but due to pendency of appeal, the said order was not implemented and even the appeal has since been dismissed. In the circumstances, it will not be justifiable to grant period of one year to the petitioners-tenants to vacate the premises.

9. Purely in the interest of justice and considering all the facts and circumstances of the case, the petitioners-tenants are granted time to vacate the demised shop upto 30.09.2025, subject to the condition that they shall clear all the arrears of rent, if pending till date within a period of 07 days; and will also continue to pay the agreed rent by the 7th of every month up to 30.09.2025. It is further directed that in case petitioners-tenants fail to vacate the demised shop on or before 30.09.2025, they will have to pay user charges/ mesne profits to the respondent – landlord @



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₹1,00,000/- per month from 1.10.2025 onwards till the demised shop is actually vacated by them.

10. Since this order has been passed without issuing any notice to the respondent-landlord of this petition, in order to avoid any unnecessary delay in disposal of this petition, therefore, he will be at liberty to approach this Court, in case he is aggrieved by this Court.

Disposed of accordingly.

(DEEPAK GUPTA)
JUDGE

21.05.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No