



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-9830-CII-2025 in/and

CR-6014-2023 (O&M)

Date of Decision: 28.05.2025

JAI PAL

. . . .PETITIONER

Vs.

HARISH KUMAR

. . . . RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. R.K. Shukla, Advocate, for the petitioner.

Mr. Arihant Jain, Advocate, with
Mr. Kanish Jindal, Advocate, for the respondent.**DEEPAK GUPTA, J.*****CM-9830-CII-2025***

This application was moved by respondent – landlord under Section 151 CPC for preponing the date of hearing of the main case from 27.10.2025 to an early date. Upon notice of the application issued on 19.5.2025, Mr. R.K. Shukla Advocate has appeared on behalf of the non-applicant-petitioner/ tenant and submits that he has no objection for preponing the date of hearing of the main case.

In view of the above, the application is disposed of and the hearing of the main case is preponed for today and the same is taken on board.

CR-6014-2023 (O&M)

Petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 filed by the landlord Harish Kumar (*respondent herein*), seeking ejection of the tenant-Jai Pal (*petitioner herein*) from the demised shop was allowed by learned Rent Controller, Patiala vide order dated 25.07.2018 on the ground of personal necessity. The appeal filed by the tenant was dismissed by the Appellant Authority on 15.07.2023.

2. Against the aforesaid orders, the present revision was filed.

3. On 12.03.2025, counsel for the petitioner had sought time to obtain instructions as to in how much time, petitioner will vacate the demised premises. Today, it is stated by Ld. counsel for the petitioner that petitioner requires a period of two years to vacate the premises.

4. The prayer, as made by the counsel for the petitioner, has been strongly opposed by the counsel for the respondent by pointing out that the petition for ejectment was filed way back in May 2014 i.e. 11 years back and that the same was allowed in July 2018 and that the petitioner herein is enjoying the property despite ejectment order against him.

5. This Court has considered submissions of both the sides.

6. The concurrent findings of facts recorded by the Courts below on the ground of *bona fide* necessity of the landlord, could not be impeached by counsel for the petitioner herein on any plausible ground. As such, the order of ejectment is maintained.

7. However, the petitioner herein is granted time to vacate the demised shop on or before 31.08.2025 positively, subject to the condition that he shall continue to pay the rent agreed between the parties by the 7th of every month. It is further subject to the condition that in case the petitioner fails to vacate the demised premises on or before 31.08.2025, he shall be liable to pay user charges/mesne profit @ ₹50,000/- per month w.e.f. 01.09.2025 onwards till the actual possession of the demised shop is delivered to the respondent-landlord.

Disposed of accordingly.

(DEEPAK GUPTA)
JUDGE

28.05.2025

Vivek

Whether speaking/reasoned?	Yes
Whether reportable?	No