

(2010) 12 P&H CK 0376

High Court Of Punjab And Haryana At Chandigarh

Case No: Regular Second Appeal No. 2734 of 2001

Surinder Paul Soni

APPELLANT

Vs

Prem Nath Kher

RESPONDENT

Date of Decision: Dec. 2, 2010

Hon'ble Judges: Mahesh Grover, J

Bench: Single Bench

Final Decision: Dismissed

Judgement

Mahesh Grover, J.

During the course of arguments, the matter has been resolved inter-se between the parties wherein the Appellant who is present in Court, has undertaken that he shall pay the rent at the rate of Rs. 11,000/-per month to the Respondent. As a part of the settlement, he shall be permitted to continue on the premises till 30.6.2013. During this period, he shall continue to pay rent by the 7th of each month to the Respondent without any default. The physical vacant possession of the premises in question shall be handed over to the Respondent on 30.6.2013 by the Appellant. The Appellant shall not create any hindrance in handing over of the possession of the premises to the Respondent on the aforesaid date and he shall also not damage the property and shall deliver the same to the Respondent in the condition as it exists today. The Appellant shall be bound by his undertaking and even a single default in the payment of rent shall result in automatic execution of the order of the appellate authority and the Respondent shall be at liberty to move the Executing Court in which eventuality, the Executing Court shall forthwith grant appropriate assistance including the police assistance to retrieve the possession from the Appellant. The terms of the undertaking have been made clear to the Appellant in Court.

2. In view of the aforesaid settlement, the Appellant does not wish to press the appeal which is, therefore, dismissed as not pressed.