

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5150/2025

Hameed Son of Noor Mohammad, aged about 71 Years, R/o Shopkeeper, Lal Haveli Nahargarh Road, House No. 2388, Bag Works, Purani Basti, Jaipur.

-----Petitioner

Versus

Praveen Kumar Pareek Son of Late Shri Prem Narayan Pareek, aged about 45 Years, R/o House No. 2388, Lal Haveli, Nahargarh Road, Purani Basti, Jaipur.

-----Respondent

For Petitioner(s)	:	Mr. Mohammad Akbar
For Respondent(s)	:	Mr. Vishal Pareek

JUSTICE ANOOP KUMAR DHAND

Order

08/04/2025

1. The instant writ petition has been filed against the impugned judgment dated 18.11.2023 passed by the Rent Tribunal, Jaipur Metropolitan-II, Jaipur (for short, 'the Tribunal') by which the application filed by the respondent under Section 9(i) of the Rent Control Act, 2001 (for short 'the Act of 2001') has been allowed and the petitioner has been directed to vacate the rented premises within a period of six months. In Addition, the petitioner has been further directed to pay monthly rent and the arrears of rent three times of the actual rent till handing over the possession to the respondent.
2. Aggrieved by the aforesaid order, the petitioner submitted a statutory appeal before the Rent Appellate Tribunal, however the

same was also rejected vide judgment dated 01.02.2025 and the judgment passed by the Rent Tribunal has been upheld.

3. Learned counsel for the petitioner after arguing for some time, on instructions of his client, has not pressed this petition on its merits. Alternatively, the petitioner prayer for granting two years time to vacate the rented premises.

4. Per contra, learned counsel for the respondent opposed the prayer made by the counsel for the petitioner and submitted that the eviction proceedings in pursuance of the application filed by the respondent remained pending for adjudication before the Rent Tribunal for more than a decade, hence under these circumstances, granting two years more time to the petitioner would be unjustified for the respondent. Counsel submits that appropriate suitable time be granted to the petitioner to vacate the premises.

5. In view of the aforesaid submissions made by the counsel for the parties, this petition stands disposed of in the following terms:-

1. The petitioner shall be entitled to continue in possession of the suit premises till 01.04.2027 but not beyond that, subject to condition that he will hand over the vacant and peaceful possession of the rented premises to the respondent on or before 01.04.2027.

2. The petitioner shall deposit the arrears of rent, due if any, up to 12.06.2025 and shall continue to deposit the monthly rent @ Rs.2000/- with the Bank account of the respondent by 15th of each successive month.

3. The petitioner shall not alienate or otherwise create third party right or hand over the possession of the rented premises in question to anyone.

4. In case the petitioner fails to deposit the rent consecutively for a period of four months, the respondent shall be at liberty to execute the order passed by the Rent Tribunal without further reference to the Court.

6. Further the petitioner shall submit an undertaking on oath incorporating the aforesaid conditions before the Rent Tribunal, Jaipur Metropolitan II within a period of four weeks from today. In case, the petitioner fails to submit the undertaking as aforesaid within a period of four weeks from today and / or commits breach of any of the conditions of this order, the respondent shall be entitled to execute the order passed by the Rent Tribunal forthwith and shall obtain the possession of the rented premises in accordance with law.

7. The stay application and all pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J