

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15201/2010

(From the judgement and order dated 31/03/2010 in CR No. 6518/2009 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

PUNJAB NATIONAL BANK Petitioner(s)

VERSUS

NIRMAL SINGH Respondent(s)

(With prayer for interim relief )

Date: 24/05/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE C.K. PRASAD  
(VACATION BENCH)

For Petitioner(s) Mr. Parag P. Tripathi, ASG  
Mr. Yashraj Singh Deora, Adv.  
For M/S Mitter & Mitter Co.,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

This petition is directed against order dated 31.3.2010 passed by the learned Single Judge of Punjab and Haryana High Court whereby he dismissed the civil revision filed by the petitioner against the order of eviction passed by Rent Controller, Jalandhar in a petition filed by the respondent under Section 13-B of the East Punjab Urban Rent Restriction Act, 1949.

We have heard learned counsel for the petitioner and perused the record.

In our opinion, the order passed by the Rent Controller was based on a correct appreciation of pleadings and evidence produced by the parties and

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the High Court did not commit any error by refusing to set aside the same.

The special leave petition is accordingly dismissed.

However, keeping in view the fact that the petitioner has been operating from the suit premises for last more than ten years, we deem it proper to accept the request of Mr. Parag P. Tripathi, learned Additional Solicitor General and allow one year and six months' time to the petitioner to vacate the suit premises, subject to furnishing of an undertaking to that effect before this Court within four weeks from today.

During the aforesaid period of one year and six months, the petitioner shall continue to pay an amount equivalent to monthly rent to the respondent by way of damages for use and occupation of the premises. The petitioner shall deliver vacant possession of the suit premises to the respondent on or before 30th November, 2011.

It is also directed that the petitioner shall not induct any other person in the suit premises in any capacity whatsoever, else it may have to suffer the proceedings under the Contempt of Courts Act, 1971.

(Neetu Khajuria) (Phoolan Wati Arora)  
Sr.P.A. Court Master