

(2010) 11 SHI CK 0249
In the High Court Of Himachal Pradesh
Case No : C.M.P.M.O. No. 343 of 2010

Himachal Pradesh Mandal and Another	APPELLANT
Vs	
Prem Chand and Another	RESPONDENT

Date of Decision : 01-11-2010

Acts Referred:

Citation : (2010) 11 SHI CK 0249

Hon'ble Judges : Deepak Gupta, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Deepak Gupta, J.—On 20.9.2010, this Court had passed an order indicating therein that notice is being issued only for the limited purpose of giving some reasonable time to the judgment debtors to vacate the premises. Sh.J.C. Katoch, Advocate has put in appearance on behalf of the respondents.

2. After considering the facts of the case, I feel that this is a fit case where the decree be not executed till 31st March, 2011 subject to the condition that the petitioners herein shall file an affidavit before the learned Trial Court on or before 30th November, 2010 undertaking therein to vacate the demised premises and hand over peaceful possession of the same to the respondents-landlord on or before 31st March, 2011. The petitioners shall also alongwith this affidavit pay all the arrears of rent as well as the damages/use and occupation charges assessed at the same rate as the rent upto 31st March 2011. In case the amount is not deposited or affidavit is not filed by 30th November, 2010 then the landlord shall be at liberty to execute the decree.

3. With these observations, the petition is disposed of. No order as to costs.