
(2020) 02 RAJ CK 0370
In the Rajasthan High Court
Case No : Civil Writ Petition No. 587 Of 2020

Kishan Singh And Ors

APPELLANT

Vs

Memlata

RESPONDENT

Date of Decision : 20-02-2020

Acts Referred:

Citation : (2020) 02 RAJ CK 0370

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : N.S. Rajpurohit, Alkesh Agarwal

Final Decision : Dismissed

Judgement

After attempting to make submissions for some time, learned counsel for the petitioners prays for extra time to vacate the premises and submits that

the petitioners are prepared to pay enhanced mesne profit.

With the consent of learned counsel for the parties, it would be appropriate to allow time to the petitioners to vacate the suit premises by 31st

December, 2021 and allow mesne profit to the respondents until the petitioners vacate the suit premises @ Rs. 5,000/- per month w.e.f. 01st March,

2020 till 31st December, 2021.

In view of the above, learned counsel for the petitioners seeks withdrawal of the writ petition and the same is, therefore, dismissed as withdrawn. The

stay application is also dismissed.

However, the petitioners are granted time to vacate the suit premises by 31st December, 2021 on the following conditions:-

(i) the petitioners shall submit an undertaking supported by affidavit before the Rent Tribunal within a period of three weeks from today to the effect

that on or before 31st December, 2021, they shall handover the peaceful and vacant possession of the premises to the respondent-landlord. They shall

also undertake not to cause any damage to the premises nor to make any alternation and not to assign/sublet or in any manner part with possession to

any other person and not to put the premises to any use other than the present use and not to cause any nuisance.

(ii) the petitioners shall deposit the arrears within a period of four weeks, if any, of the rent/mesne profit and of the decreetal amount and shall further

pay to the landlord the amount for use and occupation of the premises @ Rs.5,000/- per month w.e.f. 01st March, 2020 or deposit the same in the

saving bank account of the respondent-landlord month by month on or before 15th day of the next month. The respondent-landlord or learned counsel

for the respondent will give the details of the bank account, in which, the arrears of rent or mesne profit/month to month mesne profit will be

deposited, to the petitioners or counsel for the petitioners within a period of two weeks from today.

(iii) it is made clear that in case the petitioners do not comply with any of the aforesaid conditions or violate any terms of the undertaking, then it will

be open for the respondent-landlord to get the recovery certificate executed forthwith in accordance with law.

No costs.