

(2024) 02 RAJ CK 0201
In the Rajasthan High Court
Case No : Civil Writ Petition No. 19073 Of 2023

Vijay Kumar

APPELLANT

Vs

Manohar Lal And Others

RESPONDENT

Date of Decision : 06-02-2024

Acts Referred:

Citation : (2024) 02 RAJ CK 0201

Hon'ble Judges : Dr. Nupur Bhati, J

Bench : Single Bench

Advocate : Piyush Chouhan

Final Decision : Disposed Of

Judgement

Dr.Nupur Bhati, J

Learned counsel for the petitioner submits that despite the service being completed, nobody appear for the respondents. Learned counsel for the petitioner further submits that the petitioner is willing to vacate the premises in dispute in a reasonable time.

In view of the submission made, this Court disposes of the present writ petition with the direction to the petitioner to submit an undertaking to the effect that he will handover the peaceful and vacant possession of the suit premises to the respondent-landlord on or before 28.02.2025 subject to submission of an undertaking before the trial court within a period of '15 days' from today in the following terms :-

(1)-He shall handover complete vacant possession of the rented premises in question to the respondent on or before '28.02.2025'.

(2)-He shall not part with the possession of the premises or any portion of it to anybody else before handing over the vacant premises to the respondent.

(3)-He shall make the payment of rent to the respondent month by month and

that is before 7th day of every month.

(4)-The arrears of rent and also the mesne profits as provided in law shall be paid to the respondent within a period of three month from today, strictly in accordance with law.

(5) It is made clear that in case, the petitioner does not comply with any of the aforesaid conditions, then it will be open for the respondent to get the decree passed in his favour executed forthwith even before the aforesaid date i.e. 28.02.2025 and the respondent may also initiate contempt proceedings in this Court against the petitioner.

In the event, if the petitioner does not submit the undertaking as aforementioned or violate any condition thereof, then, the respondents would be entitled to get the order of eviction/decreed executed.

Stay application as well as all pending applications, if any, also stand disposed of accordingly.