

CR No. 10 of 2006

29.5.2006 Present: Mr Sanjivini Sood, Advocate,
for the petitioner.

Mr Ashok Sood, advocate, for
respondents No.2 to 8.

At the request of Mr Sood, learned
counsel for respondents No.2 to 8, list the
matter after ensuing summer vacation.

May 29, 2006
(D)

(Deepak Gupta), J.

FAO No.115 of 2006

29.5.2006

Present: Mr.Sandeep Sharma, Advocate, for
the appellant.

Heard. Admit.

Notice be issued to the
respondents by registered post as well as
through the ordinary process of the court.
Steps for the service to be taken within one
week.

CMP No.394 of 2006

Notice in the above terms. In
the meanwhile, the operation and execution of
the impugned award, passed by the Motor
Accident Claims Tribunal, Solan, in MAC
Petition No. 122-S/2 of 2004 dated 19th
December, 2005 shall stand stayed, subject to
applicant-appellant's depositing the balance
awarded amount in the Registry of this Court
within six weeks from today. Copy Dasti.

May 29, 2006
(D)

(Deepak Gupta), J.

CR No. 39 of 2006

Statement of Sh. Kanshi Ram s/o Sh. Munshi Ram. r/o Village Shadiana, Near Ram Nagar, Tehsil and Distt. Shimla. (aged: 82 years)

On oath
May 29, 2006

Stated that the application, under Order 23 Rule 1 and 2 of the Code of Civil Procedure, has been drafted under my instructions and bear my signatures. The application is accompanied by an affidavit, which is duly signed by me. The contents of the application have been explained to me by my counsel, which are true and correct. In case, the eviction order is not executed till 31st July, 2007, I undertake to hand over the vacant and peaceful possession of the demised premises to the respondent-landlord on or before 31st July, 2007. I further undertake that I shall not hand over the demised premises to any other person, except to the landlord-respondent, nor shall create any encumbrance thereon. I have also filed an undertaking in the form of an affidavit,

along with this application. The respondent-
landlord has given up the right to claim the
rent for this period.

RO&AC
May 29, 2006
(D)

(Deepak Gupta), J.

C R No.39 of 2006

Statement of Sh. Krishan Dutt son of Sh. Thakur Dass Sharma r/o Shanti Niwas, Phagli, Shimla-4. Aged:74 years.

On oath
May 29, 2006

Stated that I have heard the statement of the petitioner-tenant. The application under Order 23 Rule 1 and 2 of the Code of Civil Procedure, for recording of the compromise, is also signed by me. I on behalf of myself and on behalf of respondent No.2 state that we shall not execute the eviction order, against the petitioner-tenant, till 31st July, 2007, on his having undertaken to vacate the demised premises on or before the aforesaid date. We have also given up the claim of rent for this period.

RO&AC
May 29, 2006
(D)

(Deepak Gupta), J.

CR No.39 of 2006

29.5.2006

Present: Mr G D Verma, Senior Advocate,
assisted by Mr Romesh Verma,
Advocate, for the petitioner.

**Petitioner Kanshi Ram is also
Present in person.**

Mr B N Misra, Advocate, for
the respondents.

Respondent No.1 in person.

CMP No.271 of 2006

The parties have compromised the
matter and jointly filed an application,
under Order 23 Rule 1 and 2 of the Code of
Civil Procedure, for recording the
compromise.

The petitioner is a tenant and
an order of eviction was passed against him
by the learned Rent Controller (II), Shimla
vide orders dated 28th November, 2002, which
order has been upheld by the learned
Appellate Authority, (Fast Track Court,
Shimla), vide orders dated 20th January,
2006. The parties, by means of this
application, have agreed that the order of

eviction, passed against the petitioner-tenant, shall not be executed uptil 31st July, 2007, subject to petitioner-tenant's undertaking to hand over the vacant and peaceful possession of the demised premises to the landlord-respondent on or before 31st July, 2007.

Statements of the parties have been recorded separately to this effect. The petitioner-tenant has agreed to hand over the vacant and peaceful possession of the demised premises to the respondent-landlord on or before 31st July, 2007 and further agreed that he shall not hand over the demised premises to any other person and create any encumbrance thereon. The respondent-landlord has given up the right to claim the rent for this period.

In view of the aforesaid compromise, entered into between the parties, and accepting the undertaking given by the petitioner-tenant, the application stands disposed of.

Civil Revision No. 39 of 2006

In view of the compromise between the parties, the revision petition is dismissed, as withdrawn. However, it is directed that the eviction order shall not be executed before 31st July, 2007, on the terms and conditions hereinabove.

CVT No.71/06 and CMP No.158/06

Infructuous.

May 29, 2006
(D)

(Deepak Gupta), J.