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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RC.REV. 103/2009

INAM-UL-HASAN

..... Petitioner

Through: Mr. Tanvir Khan, Advocate.

versus

SMT FEMIDA BEGUM & ANR

.. Respondents

Through: Advocate (appearance not given)

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

04.12.2009

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This petition under Section 25-B (8) of Delhi Rent Control Act, 1958 has been preferred with respect to the order dismissing the application of the petitioner for leave to defend the petition for eviction filed by respondents under Section 14 (1) (e) of the Act and the consequent order of eviction. The counsel for the respondent/landlord has appeared. The counsel for the petitioner was heard on 4th November, 2008. No case for interference with the order impugned, in exercise of powers under Section 25(B)(8) of the Act was found to be made out. The petition was liable to be dismissed. The counsel for the petitioner had then withdrawn the challenge to the order of eviction and confirmed the relief in this petition only to grant of time to vacate the premises on furnishing usual undertaking. Notice to the respondents was issued limited to the grant of time. The counsel for the petitioner on instructions from the petitioner present in court states that the petitioner does not press the petition and will be bound by the order of eviction but requests for time till 30th June, 2011 to vacate the premises. The counsel for the respondent, under instructions from the respondent has no objection to the time till 30th June, 2011 being granted to the petitioner to vacate the premises. The statement of the petitioner/tenant present in court has been recorded. The petitioner has given the usual undertaking.

In view of the aforesaid, the petition is dismissed as withdrawn. However, the petitioner is granted time till 30th June, 2011 to vacate the premises. The undertaking of

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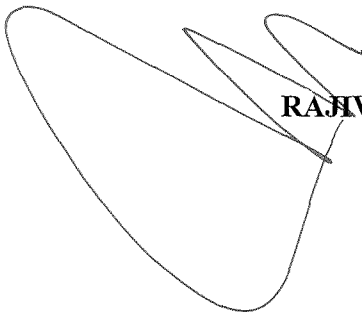
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the petitioner/tenant as recorded in his statement recorded today is accepted by this court and the petitioner/tenant is ordered to be bound by the same. The petitioner/tenant has been explained the consequences of breach of undertaking given to this court. The order of eviction is made inexecutable till 30th June, 2011 subject to the petitioner complying with his undertaking.

CM M. No.15279/2009 (u/S 151 CPC for stay).

With the dismissal of the main petition, this application has become infructuous and is disposed of.



RAJIV SAHAI ENDLAW, J

DECEMBER 04, 2009

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