

\$~24

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

+ **RFA 286/2013**

SUSHIL KUMAR

..... Appellant

Through: Mr.Amit Vohra, Advocate

versus

SADH PRAKASH SINGH

..... Respondent

Through: Mr.Ranjit Singh Chowdhary and
Mr.Inderjit Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **21.06.2013**

RFA 286/2013 & C.M.No.9471/2013 (for stay)

On 17.6.2013, a limited notice was issued to the respondent limited to a reasonable time being given to the appellant to hand over the peaceful and vacant possession of the suit premises and to relocate his business.

Learned counsel for the respondent has entered appearance. Learned counsel for the parties submit that parties have settled the matter. In terms of the settlement, the appellant undertakes to hand over the peaceful and vacant possession of the suit premises on or before 31.10.2013. The appellant undertakes to clear the arrears of rent with effect from 1.9.2012 at the rate of Rs.30,000/- per month within one month and future rent/damages for use and occupation at the rate of Rs.30,000/- per month shall be paid to the respondent by the 7th of each month till the time of handing over of the peaceful and vacant possession. The appellant undertakes to regularly

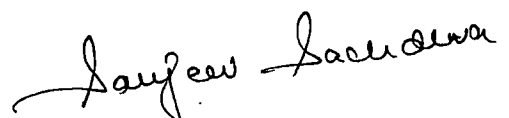
4

continue to pay water and electricity charges and other user occupation charges to the concerned authority. The appellant undertakes not to part with the possession of the suit premises or any part thereof to any other person.

The above undertakings given to the court today are accepted. The appellant shall file an undertaking in the form of an affidavit in this court within a period of 10 days from today.

Subject to appellant abiding by the above undertaking, respondent agrees to withdraw the execution petition filed by the respondent in the court of Additional Rent Controller and also the claim for damages. In case, the appellant fails to abide by the undertaking, respondent apart from other remedies will be at liberty to press the claim for damages.

The appellant unconditionally withdraws the present petition. The petition is thus disposed of in the above terms.



SANJEEV SACHDEVA, J.
(VACATION JUDGE)

JUNE 21, 2013

rb