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

CNR No. DLHC010129722026

+ **RC.REV. 105/2026**

ASHOK KUMAR AND ANR.

....Petitioners

Through: Ms. Bhawna Chopra Rustagi and
Mr. Nikhil Singla, Advs.

versus

PARVEEN KUMAR

.....Respondent

Through: Mr. Ankit Swarup, Mr. Sanjeev
Agarwal and Mr. Anubhav
Yadav, Advocates

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

% **01.09.2026**

CM APPL. 58754/2026 (Ex.)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

RC.REV. 105/2026 & CM APPL. 58753/2026

3. The present Petition, under Section 25B (8) of the Delhi Rent Control Act, 1958, seeks to assail the Order dated 03.02.2026 passed by the learned ARC – 02 (Central District), Tis Hazari Courts, Delhi, in RC ARC 410/2023, by way of which the application seeking leave to defend came to be dismissed.
4. The captioned Petition is accompanied by an application being CM APPL. 58753/2026, filed under Section 151 of the Code of Civil Procedure, 1908 read with Section 25-B (8) of the Delhi Rent Control Act, 1958, and seeks the following reliefs:



“(a) grant an ex-parte ad-interim stay further proceedings in Execution Petition No. Ex. 2167 of 2026 titled “Parveen Kumar vs. Ashok Kumar” (arising out of the impugned order dated 03.02.2026), pending before the Ld. ARC (Executing Court), Tis Hazari Courts, Delhi, including the appointment of a Bailiff fixed for 02.09.2026 and the consequential dispossession of the Petitioners, pending disposal of the present petition and/or till the expiry of the time granted to the Petitioners to vacate the tenanted premises;

and/or

(b) grant the Petitioners a reasonable period of time to vacate and hand over peaceful, vacant and physical possession of the tenanted premises to the Respondent/landlord, on such terms, conditions and undertaking as this Hon'ble Court may deem fit;

(d) pass such other or further order (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

5. Petitioners appear in person alongwith their learned counsel. It is submitted that the Petitioners will vacate the premises on or before 31.03.2027. The Petitioners also undertake to make a payment of Rs.10,000/- per month commencing from this month till the date when they vacate the premises, on or before the 10th day of every month.

6. They also undertake that all statutory dues, including, *inter alia*, electricity and water charges, shall continue to be borne by them.

7. The Petitioners further submit that they shall file an Affidavit of Undertaking to this effect within a period of two (02) weeks from today, failing which they shall vacate the premises forthwith.

8. Further, the Petitioners also undertake that in the event they fail to abide by the terms of the Undertaking, they will be liable for such proceedings as are permissible under law including the initiation of contempt proceedings under the Contempt of Courts Act, 1971.

9. Let the Affidavit of Undertaking be filed by the Petitioners within a period of two (02) weeks from today.

10. The present Petition along with pending application(s) stands disposed of in view of the aforesaid undertaking given by the



Petitioners.

11. The date already fixed, i.e., 06.10.2026, stands cancelled.

HARISH VAIDYANATHAN SHANKAR, J

SEPTEMBER 1, 2026/rk/va