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

CNR No. DLHC010216982026

+ RC.REV. 170/2026, CM APPL. 32583/2026 (Stay), CM APPL. 41691/2026 (Dir.) & CM APPL. 51353/2026 (Seeking vacation of the interim protection by Respondent)

M/S PARMANAND VIJAY KUMAR Petitioner

Through: Mr. Harish Malhotra, Senior
Advocate with Mr. Sandeep
Vishnu, Advocate.

versus

YOGESH KAPOOR & ORS. Respondents

Through: Mr. Manish Vashisht, Senior
Advocate along with Mr. P.K.
Rawal, Mr. Tarun Agarwal, Mr.
Akhil Singh and Mr. Aryan
Sharma, Advocates.

CORAM:

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

ORDER

% **01.09.2026**

1. The present Petition, filed under Section 25-B(8) of the Delhi Rent Control Act, 1958, seeks the following reliefs:

- “1. Call for the records of RC ARC No. 694/2023 titled "Yogesh Kapoor & Ors. v. M/s Pannanand Vijay Kumar from the Court of Ld. ARC-02, Central, Tis Hazari Courts, Delhi;
2. Set aside the impugned Judgment and Order dated 19/11/2025 passed in RC ARC No. 694/2023 titled "Yogesh Kapoor & Ors. v. M/s Parmanand Vijay Kumar" by the Court of Ld. ARC-02, Central, Tis Hazari Courts, Delhi by Ld. ARC 02, Central, Tis Hazari Courts, Delhi dismissing the Petitioner's application for leave to defend and passing an eviction order under Section 14(1) Proviso (e) read with Section 25-B DRC Act, 1958;
3. Allow the Petitioner's leave to defend application and restore the Eviction Petition RC ARC No. 694/2023 titled "Yogesh Kapoor & Ors. v. M/s Parmanand Vijay Kumar" to the file of



the Ld. ARC-02, Central, Tis Hazari Courts, Delhi, for trial in accordance with law, permitting the Petitioner to file Written Statement and lead its defence; or in the alternative

4. Dismiss the Eviction Petition RC ARC No. 694/2023 RC ARC No. 694/2023 titled “Yogesh Kapoor & Ors. v. M/s Parmanand Vijay Kumar”;
5. Award costs of this Petition to the Petitioner; and
6. Pass such other or further orders as this Hon'ble Court may deem fit in the facts and circumstances of the case and in the interest of justice.”

2. Learned Senior Counsel appearing on behalf of the parties are *ad idem* that the parties have arrived at a settlement, in terms whereof the Petitioner has agreed to vacate the tenanted premises, being two shops converted into one shop and one Godown/store on the back side of the ground floor of Property bearing No. 488, Bartan Market, Sadar Bazar, Delhi-110006 [**“Subject premises”**], on or before 02.10.2026.

3. Learned Senior Counsel for the parties further submit that, until the date of vacating the Subject premises, the Petitioner shall continue in occupation thereof upon payment of rent at the rate presently being paid by the Petitioner.

4. Learned Senior Counsel appearing on behalf of the Petitioner, on instructions, undertakes that the Petitioner shall file an Affidavit of Undertaking in the aforesaid terms within a period of two (02) weeks from today. It is further submitted that, in the event of failure to file the said Affidavit within the stipulated period, the Petitioner shall be liable to vacate the Subject premises forthwith.

5. Learned Senior Counsel for the Petitioner further undertakes, on instructions, that any breach of the terms contained in the aforesaid undertaking shall render the Petitioner liable to such consequences as may be permissible in law, *inter alia*, initiation of appropriate contempt proceedings.



6. It is directed that the Affidavit of Undertaking, upon being filed by the Petitioner, be taken on record by the Registry.

7. In view of the settlement arrived at between the parties and the submissions made by the learned Senior Counsel appearing on behalf of the parties, the present Petition, along with the pending Application(s), if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 1, 2026/tk/DJ