

\$~46

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 7386/2015
AMIT GUPTA & ORS Petitioners
Through: Mr. Vidit Gupta, Adv.

versus

NORTH DELH MUNICIPAL CORPORATION OF
DELHI Respondent
Through: Ms. Mini Pushkarna, Standing
Counsel.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

% **ORDER**
09.02.2016

CM No. 4922/2016 (u/Sec. 151 CPC)

Present writ petition was dismissed vide order dated 5th August, 2015. However, petitioners were permitted to vacate their respective portion of the premises till the end of February, 2016. On the said date, an undertaking was also given by the petitioners which was also recorded in the order which reads as under :-

“8. The petitioners undertake to this Court to:

- (i) Handover vacant peaceful, physical possession of the entire premises in their occupation, use and possession in the Novelty Cinema premises aforesaid to the respondent NrDMC on or before the end of February, 2016.
- (ii) That they are in physical possession and control of their respective premises and none else is in control and possession thereof and would be able to abide by this undertaking.

(iii) That they will hereafter not handover control and possession of the premises in their respective possession or any part thereof to any other person except to the respondent NrDMC.

(iv) That they shall not make any additions, alterations, constructions, encroachments over any other portions of the property and shall till the date of vacation as aforesaid continue to use the premises in the same way as they have been using till now and for no other purpose and in no other manner.

(v) That we have not and we shall not initiate / pursue any other proceedings claiming title or any other right to the premises aforesaid.”

I do not find any justifiable reason to extend the time for vacating the premises by the petitioners.

Application is dismissed.

A.K. PATHAK, J.

FEBRUARY 09, 2016

ga