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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 264/2016 & C.M . No.9622-24/2016**
SHAN ANAND & ANR

..... Petitioners

Through Mr. Ashish Malhotra, Adv.

versus

VINOD KUMAR MIDHA

..... Respondent

Through Respondent with his

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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10.05.2016

Learned counsel for the petitioner on behalf of his client undertakes that within an outer limit of one year from today (i.e. by 10.05.2017), he shall vacate the suit property i.e. property bearing plot No. 3, Singhalpur Colony (Village) Market, Singhalpur (Shalimar Bagh), Delhi (area measuring 16' X 24' approximately with an open compound at the back of shop bounded by walls as depicted in the site plan). The undertaking in the form of an affidavit to the said effect shall be filed by Smt. Shan Anand (original tenant). This affidavit of undertaking shall be filed within two weeks with advance copy to the learned counsel for the respondent. In case this affidavit of undertaking is not filed within that stipulated period, the landlord will be at liberty to get the decree executed.

Learned counsel for the respondent points out that arrears at the rate of Rs.10,000/- per month are due and payable (up to the date of eviction order) from the tenant. These arrears shall also be cleared

within an outer limit of three weeks from today.

It is made clear that if either of these two directions are not complied with within the aforementioned stipulated period, the landlord will be at liberty to get the decree executed. The admitted rate of rent (Rs.1,425/-) which is the enhanced rent of 10% over and above the original rent of Rs.1,177/- per month will also be continued to be paid during the pendency of this period during which period the petitioner/tenant will continue to enjoy the suit property i.e. up to 10.05.2017. Month to month payment at the aforementioned rent will be made on or before 7th day of each calendar month. Needless to reiterate that at the time of handing over the vacant and peaceful possession of the suit property, all electricity and water charges shall also be cleared by the petitioner. These facts shall also be incorporated in the affidavit to be filed by Smt. Shan Anand.

With these directions, petition disposed of.

INDERMEET KAUR, J

MAY 10, 2016

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