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

+ RC.REV. 340/2016

RAMESHWAR DASS

..... Petitioner

Through

Mr.Tanmay Mehta & Mr.S.Anand,
Advocates alongwith petitioner/power
of attorney holder of the petitioner in
person

versus

KRISHNA GUPTA (NOW DECEASED) & ORS Respondents

Through

Mr.Manu Nayar, Ms.Meenakshi
Bhatia & Ms.Nisha Rawat Panwar,
Advocates alongwith respondents in
person

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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04.10.2016

Both the parties are present in person along with their respective counsel. The undertaking/statement of Sh.Narender Kumar, son of the petitioner/power of attorney holder of the petitioner, has been recorded in court. He has undertaken today in court to vacate the property in question within two and half years, i.e. on or before 05.04.2019. He has also undertaken to pay user charges @ Rs.7,500/- per month w.e.f. October, 2016 in advance by 7th day of each English calendar month. He has also agreed to other terms and conditions. The undertaking is taken on record. The petitioner shall be bound by the same.

The learned counsel for the petitioner submits that the petitioner does

not press the present petition.

The learned counsel for the respondents submits that in view of the statement/undertaking recorded by the petitioner/son of the petitioner, the respondents shall not execute the eviction order on or before 05.04.2019. In the eventuality of default in payment of user charges, they will execute the eviction order after taking prior permission of the court.

He also submits that user charges may be deposited by the petitioner/son of the petitioner in terms of his statement/undertaking in the bank account of Sh.Pramod Gupta being A/c 1445101028529 having IFSC No.CNRB0001445, Canara Bank, Hauz Khas, New Delhi. He also submits that the deposit of the user charges will be discharged against all the respondents.

Keeping in view the statement/undertaking of the petitioner, the present petition is disposed of.

JAYANT NATH, J.

OCTOBER 04, 2016/v

STATEMENT OF SH.NARENDER KUMAR, S/O SH.RAMESHWAR DASS, R/O E-10/3, HAUZ KHAS MARKET, NEW DELHI, AGED ABOUT 60 YEARS, ON SA.

I am the son and the power of attorney holder of the petitioner Sh.Rameshwar Dass. A copy of power of attorney is already on record.

I undertake to vacate the property in question, being No. E-10/3, Hauz Khas Market, New Delhi as described by the respondent in the eviction petition, within two and half years, i.e. on or before 05.04.2019.

I undertake to pay monthly user charges @ Rs.7,500/- per month w.e.f. October, 2016 till the date of vacation. I will pay all electricity and water charges regularly and will not cause any wilful damages to the property or will not induct any third party in the property.

I also undertake not to seek further extension for vacation of the property in question.

I undertake to the court to abide by the orders passed by the court today.

RO&AC

JAYANT NATH, J.