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

+ RC.REV. 442/2016 & CM No.33386/2016

KAMLESH DEVI & ORS

..... Petitioners

Through

Mr.Manoj Sharma, Advocate with
Petitioners No.1 and 3 in person

versus

MOHD AKRAM

..... Respondent

Through

Mr.Abhi Kumar, Advocate

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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09.11.2016

Petitioners No.1 and 3 are present in person along with their counsel. The undertakings/ statements of petitioners No.1 and 3 have been recorded in court.

Petitioners No.1 and 3 have undertaken today in court to vacate the suit property/shop being No.1583, Ward No.IX, Ground Floor, Kucha Dakhni Rai, Pataudi House, Darya Ganj, New Delhi- 110 002 and to hand over vacant physical possession to the respondent on or before 28.02.2017. The other terms and conditions have also been stated in the undertakings/statements of petitioners No.1 and 3 recorded today. The undertakings/ statements are taken on record and the petitioners shall remain bound by the same.

The learned counsel for the petitioners submits that in view of the above undertakings, the petitioners do not want to press the present petition.

He submits that petitioner No.2 shall also abide by the undertakings given by petitioners No.1 and 3.

The learned counsel for the respondent submits that in view of the undertakings given by the petitioners, the respondent will not execute the eviction order till 28.02.2017.

Keeping in view the above, the present petition is disposed of. All the pending applications are also disposed of.

JAYANT NATH, J.

NOVEMBER 09, 2016/v

STATEMENT OF SMT. KAMLESH DEVI, W/O LATE SH.KISHAN LAL, R/O AT SHOP NO.1583, WARD NO.IX, GROUND FLOOR, KUCHA DAKHNI RAI, PATAUDI HOUSE, DARYA GANJ, NEW DELHI- 110 002, AGED ABOUT 55 YEARS, ON SA.

I undertake to vacate the property in question, namely, shop in my occupation being No.1583, Ward No.IX, Ground Floor, Kucha Dakhni Rai, Pataudi House, Darya Ganj, New Delhi- 110 002 as described by the respondent in the eviction petition and hand over vacant physical possession of the same on or before 28.02.2017 to the respondent. I undertake that my son - petitioner No.2 shall also do the same by 28.02.2017.

I admit the bonafide need of the respondent.

I undertake that during the period the property is in my occupation, I shall continue to pay agreed rent, electricity and water charges of the property. I also undertake not to induct any third party in the property or cause any wilful damage to the property.

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

RO&AC

JAYANT NATH, J.

RC.REV. 442/2016

Dated: 09.11.2016

STATEMENT OF VIJAY KUMAR, S/O LATE SH.KISHAN LAL, R/O AT SHOP NO.1583, WARD NO.IX, GROUND FLOOR, KUCHA DAKHNI RAI, PATAUDI HOUSE, DARYA GANJ, NEW DELHI- 110 002, AGED ABOUT 26 YEARS, ON SA.

I undertake to vacate the property in question, namely, shop in my occupation being No.1583, Ward No.IX, Ground Floor, Kucha Dakhni Rai, Pataudi House, Darya Ganj, New Delhi- 110 002 as described by the respondent in the eviction petition and hand over vacant physical possession of the same on or before 28.02.2017 to the respondent.

I admit the bonafide need of the respondent.

I undertake that during the period the property is in my occupation, I shall continue to pay agreed rent, electricity and water charges of the property. I also undertake not to induct any third party in the property or cause any wilful damage to the property.

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

RO&AC

JAYANT NATH, J.