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

+ **RC.REV. 426/2016**

SURINDER KUMAR

..... Petitioner

Through Mr.Shekhar Nanavaty, Advocate with
Mr.Mukesh Jain, Attorney of the petitioner.

versus

SWATANTAR KUMAR & ANR

..... Respondents

Through Mr.Ashim Vachher and Mr.Pawash
Piyush, Advocates.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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05.09.2016

CM No. 32255/2016 (exemption)

Exemption is allowed subject to all just exceptions.

Caveat 784/2016

Since the counsel for the respondents has entered appearance, the caveat stands discharged.

RC.REV. 426/2016 and CM No.32254/2016(stay)

After some arguments, learned counsel for the petitioner submits that he would like to settle the matter with the respondents if some time is given to vacate the property.

Parties have sorted out the matter. The statement of the attorney of the petitioner, namely, Mr.Mukesh Jain who is in actual physical possession of

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the premises as attorney of his brother has been recorded in court today. He has undertaken to the court to vacate the premises on or before one year from today i.e. on or before 04.09.2017. He has also undertaken to pay the up to date rent, electricity and water charges. The said undertaking is accepted. The petitioner shall remain bound by the said undertaking.

In the light of the above undertaking, learned counsel for the respondent submits on instructions from the respondent who is present in person that the respondent shall not execute the eviction order before 04.09.2017.

With the above observations, the petition is disposed of.

JAYANT NATH, J

SEPTEMBER 05, 2016

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Dated: 05.09.2016

Statement of Mr.Mukesh Jain s/o late Daya Ram Jain r/o 2/63, Sadar Bazar, Delhi Cantt., New Delhi on SA

I undertake to vacate and handover vacant and physical possession of the property in question, namely, front portion of the premises No. III-2/4, Shrirampuri Building, Gopi Nath Bazar, Delhi Cantt. to the landlord-Sh.Swantantra Kumar Vig on or before one year from today i.e. on or before 04.09.2017. I am in exclusive possession of the property. I am the duly constituted attorney of my brother Shri. Surinder Kumar who has executed a power of attorney in my favour dated 10.12.2008. I also undertake to pay the entire arrears of rent, electricity and water charges. I also undertake that I shall not wilfully cause any damage to the concerned property.

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JAYANT NATH, J.