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

+ RC.REV. No.10/2017 & CM No.925/2017 (for stay).

GURBACHAN SINGH

..... Petitioner

Through: Mr. A.S. Chandhiok, Sr. Adv. with
Ms. Sweta Kakkad, Ms. Shruti
Sharma and Ms. Deepti Arya, Advs.

versus

SUNDER SHYAM SUKHIJA & ORS

..... Respondents

Through: Mr. Hitender Kapur, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **04.09.2017**

1. This Rent Control Revision Petition under Section 25B(8) impugns the order (dated 22nd July, 2016 in E.No.20/15 of the Court of Additional Rent Controller-1 (Central), Tis Hazari Courts, Delhi) of dismissal of the application filed by the petitioner / tenant for leave to defend the petition for eviction under Section 14(1)(e) of the Act filed by the respondents / landlords and the consequent order of eviction of the petitioner / tenant from Shop No.XI/5050, Plot No.12, Ground Floor, Block No.K, Netaji Subhash Marg, Darya Ganj, New Delhi.

2. The petition was entertained and notice thereof ordered to be issued and Trial Court record requisitioned.

3. The senior counsel for the petitioner / tenant was heard on 30th August, 2017 and the counsel for the respondents / landlords has been heard today.

4. The senior counsel for the petitioner / tenant has offered that subject to the respondents / landlords executing a registered Lease Deed in favour of

the petitioner / tenant and his son for a period of five years w.e.f. 1st September, 2017, the petitioner / tenant will pay to the respondents / landlords for the said period, rent @ Rs.50,000/- per month for the first three years and to be enhanced by 15% for the balance two years and which rent would be, besides the electricity, water charges and GST, if any and on the other usual terms and conditions.

5. Though the counsel for the respondents / landlords states that the respondents / landlords have urgent need of the premises in the tenancy of the petitioner / tenant but the counsel for the respondents / landlords has been persuaded to agree and has agreed for the sake of certainty and finality and on the premise that the premises, with increase in rent becoming outside the purview of the Rent Act, the respondents / landlords, after the said period of five years, would in any case be entitled to get possession.

6. The counsels further state that the Lease Deed shall be executed and got registered on or before 30th September, 2017.

7. Binding the parties to the aforesaid, the petition is disposed of with the clarification that on extension and registration of lease deed aforesaid the order of eviction impugned in this petition would stand set aside.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 04, 2017

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