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

+ RC.REV. 191/2016 and CM No. 11879/2016 (stay)

MAHESH AND ANR Petitioners
Through Mr.R.S.Sharma, Advocate with
petitioner No.1-in-person.

versus

HOMIT BHOLA Respondent
Through Mr. Subhiksh Vasudev and Mr.Ishaan
Madaan, Advocates with respondent-in-person.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
07.03.2017

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I have heard arguments in the present case.

After arguments, the parties have settled the matter. Petitioner No.1-Sh.Mahesh Kumar who is present in person undertakes to the court to vacate the tenanted premises being one shop (room) Measuring 9'x 10' in property bearing No. 4147/65, Regar Pura, Karol Bagh, New Delhi-110005 within two years from today i.e. on or before 06.03.2019. He also undertakes that they will pay the monthly user charges of Rs.2,000/- per month w.e.f. 01.03.2017 to the respondent. The payment for the month of March shall be made by 20.03.2017. For subsequent months, the payment shall be made by the 7th day of each month in advance. Petitioner No.1 also undertakes to pay the electricity and water dues of the premises for the period of their

occupation. He also undertakes not to induct any third party in the suit property or cause wilful damage to the property.

The petitioners will file an affidavit by way of undertaking to comply with the above terms within two weeks from today.

The learned counsel for the petitioners submits that in view of the above undertaking, he does not press the present petition.

The learned counsel for the respondent on instructions from the respondent who is present in person submits that in case the affidavit by way of undertaking is filed within two weeks from today, the respondent shall not execute the eviction order till 07.03.2019.

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

At this stage, learned counsel for the respondent submits that there are certain arrears of rent for the past dues @ Rs.1600/- per month.

Learned counsel for the petitioners submits on instructions that the arrears shall be cleared within three months from today @ Rs.1600/- per month.

In case there is a default in payment of user charges/past arrears, liberty is granted to the respondent to approach this court for executing the eviction order.

Dasti.

JAYANT NATH, J

MARCH 07, 2017
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