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

+ RC.REV. 542/2016 & CM Nos.42947-48/2016

M/S SHEFALI THR SHASHI ARORA

..... Petitioner

Through Mr.Harish Malhotra, Sr.Advocate
with Mr.Rajesh Bhatia, Mr.Devender
Kumar and Ms.Rajdipa Behura,
Advocates alongwith son of the
petitioner in person

versus

VIDYA SAGAR GUPTA

..... Respondent

Through Mr.S.K.Sharma & Mr.Umang
Chopra, Advocates with son of the
respondent in person

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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22.02.2017

Ms.Rajdipa Behura, the learned counsel appearing for the petitioner seeks her discharge as the petitioner has engaged Mr.Rajesh Bhatia, Advocate now. She is discharged.

The learned senior counsel appearing for the petitioner, on instructions from the son of the petitioner who appears in person, submits that the petitioner would undertake to this court to vacate the property in question, namely, property No.1-G, Jawahar Nagar, Delhi-07 as described by the respondent in the eviction petition and hand over vacant physical possession of the same on or before 31.10.2018 to the respondent.

In the undertaking by way of affidavit, the petitioner will undertake

that during the period the property is in his occupation, he shall continue to pay agreed rent @ Rs.323/- by 7th of each English calendar month in advance. He will also pay electricity and water charges of the property. He will also undertake not to sub-let or part with possession of the property or cause any wilful damage to the property.

In view of the above undertaking, the learned senior counsel for the petitioner submits that the petitioner does not want to press the present petition.

The learned counsel for the respondent, on instructions from the son of the respondent who appears in person, submits that in case the undertaking by way of affidavit is filed by the petitioner within two weeks, the respondent will not execute the eviction order till 31.10.2018.

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

JAYANT NATH, J.

FEBRUARY 22, 2017/v