

\$~A-35

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

+ **RC.REV. 64/2017**

ANUP SHARMA

..... Petitioner

Through Mr.R.K.Jain and Mr.N.L.Gupta,
Advocates.

versus

MADAN MOHAN

..... Respondent

Through Mr.Rajiv Bajaj, Advocate with
respondent-in-person.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

13.02.2017

CAV. 139/2017

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

RC.REV. 64/2017 and CM Nos. 5567/2017, 5568/2017

I have heard the learned counsel for the petitioner.

At this stage, learned counsel for the petitioner submits that in case some time is granted to vacate the tenanted premises by the respondent, the petitioner would like to settle the matter.

After some submissions, it has been agreed that the petitioner shall hand over vacant physical possession of the tenanted premises to the respondent as described in the eviction petition on or before 30.10.2019.

Let the petitioner place on record an affidavit undertaking to vacate the tenanted premises as described in the eviction petition on or before 30.10.2019. In the affidavit, the petitioner shall also undertake to pay the agreed rent of Rs.50/- per month by the 7th day of each month and also to pay the electricity and water dues of the premises for the period under occupation. Arrears, if any, be paid within two months from today. The petitioner shall also undertake not to induct any third party in the tenanted premises or to cause any wilful damage to the tenanted premises. The petitioner shall also undertake that in the event of an unfortunate eventuality, the LRs of the petitioner shall also remain bound by the undertaking given by the petitioner.

The undertaking be filed within two weeks from today.

In view of the above, learned counsel for the petitioner submits that he does not wish to further pursue the present petition. Learned counsel appearing for the respondent submits on instructions from the respondent who is present in person that if the undertaking is filed by the petitioner within two weeks from today with advance copy of the respondent, the respondent shall not execute the eviction order till 31.10.2019.

With the above observation, the petition is disposed of. All pending applications also stand disposed of.

Copy of the order be given dasti under the signatures of the Court Master.

JAYANT NATH, J

FEBRUARY 13, 2017
rb