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

+ RC.REV. 434/2017 & CM No.34107/2017 (for stay)

KISHORI LAL

..... Petitioner

Through: Mr. Manish Kumar, Adv.

Versus

KRISHNA DEVI

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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19.09.2017

1. This Rent Control Revision Petition under Section 25B(8) of the Delhi Rent Control Act, 1958 impugns the order [dated 2nd June, 2017 in E. No.312/2017 (Old E. No.271/2017) of the Court of Additional Rent Controller (ARC), Pilot Court (Central), Tis Hazari Courts, Delhi] of dismissal of the application filed by the petitioner for leave to defend the petition for eviction under Section 14(1)(e) of the Act filed by the respondent and the consequent order of eviction of the petitioner from one shop ad-measuring 3"x6" at the corner of Gali No.46 on the front main road, Vishnu Mandir Gali out of property bearing No.46/4802, Ground Floor, Reghar Pura, Karol Bagh, New Delhi.

2. The counsel for the petitioner has been heard and copies of the trial court record perused.

3. After full hearing, the counsel for the petitioner sought time to take instructions from the petitioner, whether the petitioner wants to pursue this petition.

4. The counsel for the petitioner along with the petitioner have mentioned the matter and they state that the petitioner does not want to press this petition and withdraws the same and will abide by the order of eviction. Time is however sought of 2-3 years to vacate the premises.

5. It is further stated that the petitioner is in exclusive possession and control of the premises from which he is ordered to be evicted and is in a position to give undertaking to this Court in the usual form.

6. Issue notice, limited to the aforesaid aspect, to the respondent by all modes including *dasti* and through the counsel for the respondent before the Trial Court returnable on 26th September, 2017.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 19, 2017

‘gsr/bs’..