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

+ RC.REV. 401/2017 & CM No.31223/2017 (for stay)

SURESH KUMAR SHARMA Petitioner
Through: Mr. Sumit Kumar, Adv.

Versus

AJAY ARORA & ANR Respondents
Through: Mr. Jagjit Sing Sahni, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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26.09.2017

1. This order is in continuation of the earlier order dated 29th August, 2017.
2. The counsel for the respondents appears and states that the respondents have urgent need for the premises and will face inconvenience if any further time is granted to the petitioner to vacate the premises.
3. However for the sake of finality and certainty, the respondents have been prevailed upon to grant of time till 31st December, 2018 to the petitioner to vacate the premises.
4. It is stated that the petitioner is in exclusive control and possession of the premises from which he has been ordered to be evicted.
5. The petitioner undertakes to this Court to:
 - (i) hand over vacant peaceful physical possession of the premises with respect to which order of eviction has been passed, to the respondents, on or before 31st December, 2018;

- (ii) with effect from the month of November, 2017 (when the order of eviction will become executable) pay to the respondents compensation @ Rs.10,000/- per month till the month of June, 2018 and @ Rs.15,000/- per month for the months from July, 2018 to September, 2018 and @ Rs.20,000/- per month for the months of October, 2018, November, 2018 and December, 2018 till the month of vacation of the premises on or before 31st December, 2018, month by month, in advance for each month by the 10th day of English Calendar month;
- (iii) clear the electricity and water dues of the premises till the date of occupation thereof, before leaving the premises; and,
- (iv) hereinafter, not induct any other person into possession of the premises and to not damage the premises.

6. The aforesaid undertakings of the petitioner are accepted and the petitioner/tenant/his legal representatives are ordered to be bound therewith.

7. The petitioner/tenant has been explained the consequences of breach of undertaking given to this Court.

8. I have otherwise satisfied myself that the order of the ARC impugned in this petition is in accordance with law.

9. The petition is accordingly dismissed as withdrawn; however subject to the petitioner/tenant complying with his undertakings aforesaid, the order of eviction is made inexecutable till 31st December, 2018.

10. It is made clear that in the event of the petitioner/tenant/his legal representatives being in breach of the undertaking or any part thereof, the

respondents/landlords, besides initiating proceedings against the petitioner/tenant/his legal representatives for breach of undertaking given to the Court, shall also be entitled to forthwith execute the order of eviction.

11. No costs.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 26, 2017

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