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

+ **RC.REV. 425/2017 & CM No.32924/2017 (for stay).**

ANANT RAM

..... Petitioner

Through: Mr. Manjit Dalal, Sr. Adv. with Mr.
Roopansh Purohit, Adv.

versus

AVTAR SINGH & ORS

..... Respondents

Through: Mr. K.N. Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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25.10.2017

1. This order is in continuation of the earlier order dated 12th September, 2017.
2. The respondents no.1 to 4 have been served and Mr. K.N. Singh, Advocate appears for all the respondents and states that the respondents have urgent need for the tenancy premises and are only willing to grant of a short time to the petitioner for vacating the premises.
3. After persuasion and for the sake of finality, agreed terms have been arrived at.
4. The petitioner through counsel and the son of the petitioner Mr. Ashok Kumar present in Court undertake to this Court to:-
 - (i) hand over vacant, peaceful physical possession of the premises from which the petitioner has been ordered to be evicted, to the respondents / landlords on or before 31st May, 2019;
 - (ii) with effect from the month of December, 2017 and till 31st December, 2018, pay to the respondents / landlords use and

occupation charges @ Rs.20,000/- per month and to with effect from the month of January, 2019 till the month of vacation of the premises on or before 31st May, 2019 pay use and occupation charges to the respondents / landlords @ Rs.25,000/- per month, month by month, in advance for each month by the 10th day of each 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.

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

8. The petitioner / tenant / his son have been explained the consequences of breach of undertaking given to this Court.

9. I have otherwise satisfied myself that the order of the Additional Rent Controller impugned in this petition is in accordance with law.

10. The petition is accordingly dismissed as withdrawn; however, subject to the petitioner / tenant / his son complying with his undertakings aforesaid, the order of eviction is made inexecutable till 31st May, 2019.

11. It is made clear that in the event of the petitioner / tenant / his legal representatives / his son being in breach of the undertaking or any part thereof, the respondent / landlord, besides initiating proceedings against the

petitioner / tenant / his legal representatives / his son for breach of undertaking given to this Court, shall also be entitled to forthwith execute the order of eviction.

No costs.

RAJIV SAHAI ENDLAW, J

OCTOBER 25, 2017

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