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

+ RC.REV. 506/2017 and CM 40100/2017

PAWAN KUMAR GOEL

..... Petitioner

Through: Mr. Rakesh Tikku, Sr. Advocate with
Mr. Amitabh Kumar Verma, Mr. Jyotindra Kumar
and Ms. Arushi T., Advocates

versus

RAJINDER KUMAR GUPTA

..... Respondent

Through: Mr. Ravinder Sethi, Sr. Advocate with
Mr. Puneet Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **28.11.2017**

The learned senior counsel appearing for the petitioner submitted that the petition is not pressed in so far as it challenges the order of eviction granted by the Rent Controller through the impugned judgment on merits, the prayer being restricted to one for grant of reasonable time for vacation of the demised premises. In this view, the matter was passed over so that parties could sit together with the assistance of their respective counsel and decide on the reasonable time to be granted to which the respondent seemed agreeable.

When the matter is taken up in the post-lunch session, the learned senior counsel on both sides submit that it has been agreed and settled that the petitioner, who is present in person, will hand over

the vacant and peaceful possession of the demised premises on or before 31.12.2018 subject to the conditions that he would furnish an undertaking to the satisfaction of the Rent Controller within ten days hereof to the effect that he would not create a third party interest in the demised premises during the period it remains in his possession and use; that he would pay the arrears of rent, if any, within the same period and continue to pay the user / occupation charges at the same rate as of the settled rent month by month during the said period; that he would continue to pay the electricity and water charges or any other charges to be borne by him periodically; and that he would hand over the vacant and peaceful possession of the premises on or before 31.12.2018.

Subject to strict and scrupulous compliance with this undertaking, the enforcement of the eviction order shall remain in abeyance till 31.12.2018. It is, however, made clear that in case of any default in furnishing the undertaking or complying with the terms and conditions settled above, the eviction order will become executable immediately.

The petition and the pending application stand disposed of in above terms.

Dasti under the signatures of the Court Master.

R.K.GAUBA, J

NOVEMBER 28, 2017

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