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

+ **RC.REV. 553/2017**

GURMEET KAUR & ANR

..... Petitioners

Through: Mr. Yogesh Kumar Rana, Advocate
along with petitioners in person.

versus

SUNIL KUMAR VAID & ANR

..... Respondents

Through: Mr. Suresh Agarwal, Advocate for
R-1 with R-1 in person.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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18.12.2017

RC.REV. 553/2017 & CM No.43938/2017 (stay)

Though the revision petition at hand was filed against the order of eviction passed by the Additional Rent controller on 03.04.2017 on the petition (RC/ARC No. 22/17) of the first respondent, it was submitted on 01.12.2017, and is reiterated today for and on behalf of the petitioners by their counsel that the said order is not challenged on merits, the limited prayer being the extension of time for vacation and handing over of possession of the subject premises.

The first respondent has appeared on the notice through counsel.

After some hearing, the learned counsel on both sides jointly submitted that the petition may be disposed of granting time to the

petitioners to vacate the subject premises on or before 30.06.2018, subject to the petitioners paying the arrears of rent at the rate of Rs.400/- per month for the period 01.01.2013 to 31.03.2017 within a week hereof and thereafter to they paying to the respondent No.1 user/occupation charges at the now agreed rate of Rs.7000/- per month with effect from 01.04.2017 till the date of handing over of the premises, upon furnishing of necessary undertakings.

The parties have also agreed that the user/occupation charges from 01.04.2017 to 31.12.2017 would be paid by deposit in the account of respondent No.1 on or before 15.01.2018 and that the user/occupation charges for the period beginning January, 2018 would be paid by 7th of each consecutive month.

The petitioners acknowledge that they have been informed about the full particulars of the bank account of the respondent No.1 for afore-mentioned purposes.

In view of above, it is directed that the petitioners, who are present in person, will hand over the vacant and peaceful possession of the demised premises to the first respondent on or before 30.06.2018, subject to the conditions that they would furnish an undertaking to the satisfaction of the Rent Controller within ten days hereof to the effect that they would not create a third party interest in the demised premises during the period it remains in their possession and use; that they would pay the arrears of rent and the user/occupation charges at the rates mentioned above as per terms settled; that they would continue to pay the electricity and water charges or any other charges to be borne by them periodically; and that they

would hand over the vacant and peaceful possession of the premises on or before 30.06.2018.

Subject to strict and scrupulous compliance with this undertaking, the enforcement of the eviction order shall remain in abeyance till 30.06.2018. 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

DECEMBER 18, 2017//srb