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

+ **W.P.(C) 3398/2018**

YOGESHWAR NARAIN MATHUR & ANR Petitioners

Through: Mr. Rakesh Kr. Khanna, Sr. Adv.
with Mr. Ayush Gupta, Mr. Daman
Popli, Ms. Shefali Jain and Ms. Divya
Choudhary, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION

& ANR

..... Respondents

Through: Mr. Ajjay Aroraa, Adv. for NDMC.
Mr. Manish Tanwar, Mr. Shantnu
Tanwar and Mr. Vishvesh Iyer, Advs.
for R3.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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21.05.2018

1. Mr. Ajay Aroraa, learned counsel appearing for the respondent / North Delhi Municipal Corporation at the outset states, in terms of the order passed by this Court on May 8, 2018, property concerned was de-sealed on May 11, 2018 and re-sealed on May 18, 2018.
2. It is noted, in terms of order dated May 8, 2018, an undertaking has been filed by the petitioner on May 10, 2018. The undertaking is not as per the order dated May 8, 2018. Mr. Rakesh Khanna, learned Sr. Counsel appearing for the petitioner has filed a fresh affidavit-cum-undertaking today in the Court. The same is taken on record. The undertaking reads as under:

- “3. *That in terms of order dated 08.05.2018, I undertake that I shall not use the said premises for any purpose except for residential use.*
4. *That I further say that once the said premises is desealed, I shall use the same for residential purpose only.*

3. In view of the undertaking filed by the petitioner today in the court, Mr. Aroraa states the respondent/NDMC shall de-seal the property by tomorrow at 3 PM. The said statement is taken on record.

4. It is made clear that in terms of the undertaking petitioner shall use the property only for residential purposes. Learned counsel for the respondent no.3 agrees with the undertaking filed by the petitioner that the property shall be used only for residential purposes.

5. It is made clear, this order is passed noting the limited prayer sought for in the present petition and this Court has not expressed itself on any action, if any being taken by any authority.

The petition stands disposed of.

CM. No. 13464/2018

In view of order passed in the petition, the application has become infructuous.

A copy of this order be given *dasti* under the Signatures of the Court Master.

V. KAMESWAR RAO, J

MAY 21, 2018/jg