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

+ RC.REV. 229/2018

MAHESH CHAND RASTOGI

..... Petitioner

Through: Mr. Jaspreet Singh, Advocate along
with petitioner in person.

versus

VIAJY KUMAR AGGARWAL & ANR

..... Respondents

Through: Mr. R.K.Singh, Advocate for R-1 &
R-2 along with respondents in person.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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18.05.2018

Caveat No.472/2018

Since the caveat petitioners are represented through counsel, caveat stands discharges.

CM APPL.20931/2018 (exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

RC.REV. 229/2018 and CM APPL.20930/2018 (stay)

The learned counsel on both sides, on instructions from their respective clients, who are present in person, submit that both the parties have agreed that the revision petition against eviction order may be dismissed as withdrawn and the petitioner, who is present in person, may continue to be in use and occupation and hand over the vacant and peaceful possession of the demised premises on or before 31st August, 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 he remains in his possession and use; that he would pay the arrears of user/occupation charges @ Rs.5,000/- per month from the date of eviction order, *i.e.*, 23.11.2017, 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 the date specified above.

Ordered accordingly.

Subject to strict and scrupulous compliance with the undertaking, the enforcement of the eviction order dated 23.11.2017 shall remain in abeyance till the above-mentioned date. 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 application filed therewith stand disposed of in above terms.

R.K.GAUBA, J

MAY 18, 2018

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