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

+ RC.REV. 335/2015 and CM 12282/2015 (stay) and
CM No.5146/2018 (u/O. 23 R 1&3 CPC)

MOHD HAROON & ANR

..... Petitioners

Through: Mr. R.K. Trakru and Ms. Bela Khattar,
Advocates

versus

MOHD YAHYA

..... Respondent

Through: Ms. Neha Kapoor, Adv. with respondent
in person

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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09.02.2018

The matter has been amicably resolved between the parties and they have come with a joint application (CM 5146/2018) under Order 23 Rules 1 & 3 of the Code of Civil Procedure, 1908. In terms of the compromise reached, the respondent / landlord is to withdraw the eviction petition. The present petition before this court was filed against the order dated 28.05.2015 whereby leave to defend was declined to the petitioners and consequently an eviction order was passed against them in favour of the respondent on the ground of *bonafide* need, thereby drawing a curtain on the proceedings arising out of the eviction case.

In view of the above noted compromise, the present petition, with the consent of the counsel for the respondent, is allowed. The impugned order granting eviction decree in favour of the respondent is set aside. The proceedings before the Rent Controller on the eviction petition of the respondent stand revived. Appropriate submissions can be made before the Rent Controller for withdrawal of the said case. The parties shall appear before the concerned Rent Controller on 06.03.2018.

The next date fixed in the matter i.e. 02.04.2018 stands cancelled.

The petition and the applications filed therewith stand disposed of in above terms.

Dasti.

R.K.GAUBA, J

FEBRUARY 09, 2018

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