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

+ RC.REV. 543/2017 & CM No. 43169/2017

KRISHNA BABBAR & ANR Petitioners

Through: Mr. Mukesh Kumar for Mr. Sameer
Dewan, Advocates

versus

PARBHATI DEVI Respondent

Through: Mr. Gurpreet Singh Sethi, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **12.01.2018**

The petition challenging the order dated 07.06.2017 of the Rent Controller granting the eviction order against the petitioners, was presented and pressed as per submissions made on 28.11.2017, only to seek enlargement of time for vacation, the petitioners not questioning the impugned order on merits.

The notice was issued to the respondent in this light for consideration of limited issue only.

The 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person, submit that both the parties have agreed that the revision petition against eviction order may be dismissed as withdrawn and the petitioners, who are present in person, may continue to be in use and occupation and hand over the vacant and peaceful possession of the demised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 30.04.2018, 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 they remain in their possession and use; that they 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 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 the date specified above. Ordered accordingly.

Subject to strict and scrupulous compliance with the undertaking, the enforcement of the eviction order 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 pending application stand disposed of in above terms.

Copy of order be given *dasti* as prayed to both sides.

JANUARY 12, 2018*srb*

RC.REV. 543/2017

R.K.GAUBA, J.

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