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

+ CM(M) 3/2018 and CM APPL.45/2018, 2336/2018, 11885/2018

SANJAY CHUG

..... Petitioner

Through: Mr. Ravi Gupta, Senior Advocate with
Mr. P. Choudhry, Adv. along with petitioner
in person.

versus

OPENDER NATH AHUJA & ANR.

..... Respondents

Through: Mr. Rajesh Bhatia, Advocate with
Mr. Hemant Kakkar, Adv. along with
respondents.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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03.05.2018

The costs of Rs.10,000/- imposed by order dated 13.03.2017 has been paid by the petitioner to the counsel for the respondents.

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in person, submit that both the parties have agreed that the petition against eviction order may be dismissed as withdrawn and the petitioner, who is present in person, may continue to be in use and occupation and hand over the vacant and peaceful possession of the demised premises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 May, 2020, 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 it remains in his

possession and use; that he would pay the arrears of rent/*mesne* profits/damages @ Rs.16,000/- per month from 15th September, 2017 (one day after the date of dismissal of the review petition) and continue to pay the user / occupation charges at the same rate 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, *i.e.* 31st May, 2020.

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 applications stand disposed of in above terms.

The date 10th July, 2018 fixed earlier by order dated 03.01.2018 stands cancelled.

R.K.GAUBA, J.

MAY 03, 2018
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