

\$~27

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

%

Judgment delivered on: 24.12.2019

+ RC.REV. 711/2019 & CM APPL. 55742/2019

MANJEET SINGH BAWA

..... Petitioner

versus

PHOOL WATI

..... Respondent

Advocates who appeared in this case:

For the Petitioner:

Mr. Rahul Gupta, Mr. S. Tabrez, Mr. Shourya Gupta and Mr. Ali Anwar, Advocates with petitioner in person.

For the Respondent:

Mr. S.C. Singhal, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 23.08.2019, whereby the eviction petition filed by the respondent under Section 14 (1) (e) of the Delhi Rent Control Act, 1958 has been allowed and an eviction order passed.

2. Respondent had filed the subject eviction seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from entire ground floor of property bearing No. II/110 (Old Number) II/55/2 (New Number), Sadar Bazar, Delhi Cantt., Delhi, more particularly as shown in red

colour in the site plan annexed with the eviction petition.

3. Learned counsel for the petitioner, under instructions from the petitioner, seeks leave to withdraw the petition.

4. Petitioner who is present in Court in person, undertakes that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.12.2021. Petitioner further undertakes that she shall pay a sum of ₹ 15,000/- per month with effect from 01.04.2020 as use and occupation charges to the respondent till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.12.2021.

5. Petitioner further undertakes that petitioner shall clear the arrears of rent @ ₹ 82.50 and continue to pay the same till 31.03.2020 and thereafter he shall pay a sum of ₹ 15,000/- per month as use and occupation charges. He undertakes to clear the arrears of rent within two months.

6. Petitioner further undertakes that petitioner shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioner vacates the premises on or before 31.12.2021.

7. Petitioner further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioner further undertakes that petitioners shall not cause

any damage to the property and shall hand over the peaceful vacant possession of the tenanted premises to the respondent in a condition as existing today, subject to normal wear and tear.

8. The undertaking is accepted.

9. Learned Counsel for the Respondent submits that the undertaking is acceptable to the respondent.

10. The Petition is accordingly dismissed as withdrawn.

11. Subject to petitioner filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 23.08.2019 shall remain stayed till 31.12.2021.

12. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

DECEMBER 24, 2019

'rs'