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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RC.REV. 44/2019, CM APPL.No.3598/2019, 3601/2019
ARVIND WALIA & ANR

..... Petitioners

Through : Mr.Raman Kapur, Sr Advocate
Mr.Rajesh Kr Luthra, Advocate with
petitioners in person.

versus

SANTOSH KUMARI

..... Respondent

Through : Mr.Rakesh Malhotra, Mr.Rakesh
Pahuja, Mr.Surender Nagpla and
Mr.Bharat Malhotra, Advocates.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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19.02.2019

Petitioner assails the impugned order dated 28.08.2018 passed by the learned Trial Court whereby the leave to defend application of the petitioner was rejected and an eviction order was passed in favour of the respondent.

Learned senior counsel for the petitioner, as per instructions submits that he is not inclined to argue on merits provided the petitioner is allowed to remain in the subject premises for three more years from today, which is objected to by the learned counsel for the respondent. However, both the learned counsels agree that petitioner would vacate the premises in question on or before 31.05.2020, provided the petitioner would pay the user/ occupation charges at the rate of Rs.20,000/- per month from 01.03.2019 till the date of vacating of premises. The water and electricity charges be paid as per actuals.

In the circumstances the petitioner to vacate the premises on 31.05.2020 and hand over its vacant and peaceful possession to the respondent. The payment of user / occupation charges be made on or before 7th of each calendar month. The usual undertaking to this effect shall be filed by the petitioner within four weeks from today. Any default in the payment of user/occupation charges shall entail eviction forthwith.

The petition along with pending application stands disposed of in terms of above. Order *dasti* to both the parties. No order as to costs.

YOGESH KHANNA, J.

FEBRUARY 19, 2019

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