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

% Judgment delivered on: 24.10.2019
+ RC.REV. 565/2019

PRATAP SINGH & ORS

..... Petitioners

versus

NIRANJAN SINGH (DECEASED) THR LRS Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. M.K.Verma, Advocate.

For the Respondent: Mr.M.L.Bajaj, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 19.03.2019, whereby the eviction petition filed by the respondent under Section 14(1)(e) of the Delhi Rent Control Act has been allowed and an eviction order passed.

2. Subject eviction petition was filed by the respondent seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from shop bearing Private No.2 in property bearing No.WZ-272, Vishnu Garden-I, New Delhi, more particularly as shown in red colour in the site plan

annexed to 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 he shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 23.10.2020. Petitioner further undertakes that he shall pay a sum of ₹ 5,000/- per month as use and occupation charges to the respondent - Mr. Surendra Pal Singh with effect from 01.10.2019 till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 23.10.2020.

5. Mr. Surendra Pal Singh undertakes that he is authorised on behalf of all the respondents to accept the use and occupation charges and payment to him shall be a discharge qua all the other Respondents/legal heirs of late Sh. Niranjan Singh.

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 23.10.2020. Petitioner further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes that he shall not cause any damage to the tenanted premises and shall hand over the peaceful and vacant

possession of the tenanted premises in the same condition as it exists today subject to normal wear and tear.

7. The undertaking is accepted.

8. Learned Counsel for the Respondents submits that the undertaking is acceptable to the respondents.

9. The Petition is accordingly dismissed as withdrawn.

10. On petitioners filing an affidavit of undertaking, within two weeks in the above terms, execution of the impugned order dated 19.03.2019 shall remain stayed till 23.10.2020.

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

OCTOBER 24, 2019
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SANJEEV SACHDEVA, J