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

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Judgment delivered on: 09.10.2019

+ RC.REV. 580/2019 & CM APPL. 43889/2019

USHA NARANG

..... Petitioner

versus

MAHESH KUMAR & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Rajat Aneja and Ms. Rajula, Advocates with petitioner in person.

For the Respondent: Mr. Ravinder Mahil, Advocate

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 04.06.2019, whereby the Leave to defend application of the petitioner has been dismissed by the Rent Controller and an eviction order passed.

2. Respondent had filed the subject eviction petition seeking eviction of the petitioner under Section 14(1) (e) of Delhi Rent Control Act, 1958 from a shop (measuring 8 ft. x 4 ft.) situated at ground floor facing East side of property bearing No. 2081, Veer Gali, Sadar Bazar, Delhi, more particularly as shown in red colour in the

site plan attached to the eviction petition.

3. Learned counsel for the petitioner under instructions from the petitioner, who is present in Court in person, seeks leave to withdraw the petition.

4. Petitioner who is present in Court in person, undertakes that she shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2021. Petitioner further undertakes that she shall pay a sum of Rs. 2000/- per month as use and occupation charges till the time she hands over the peaceful vacant possession of the tenanted premises to the respondent i.e. 30.06.2021.

5. Petitioner further undertakes that she shall clear all water, electricity and other dues/charges in respect of the tenanted premises before she vacates the premises. She further undertakes that she shall not sublet, assign or part with the possession of the tenanted premises or any part thereof.

6. The undertaking is accepted.

7. Learned counsel under instructions from the respondent submits that the undertaking is also acceptable to the respondent. Learned Counsel for the Respondent further undertakes on behalf of the Respondent that he shall not cause any obstruction in carrying out of the business by the petitioner in the meantime.

8. In view of the above, the petition is dismissed as withdrawn.

9. Subject to petitioner filing an affidavit of undertaking in the above terms within a period of two weeks from today, execution of the impugned order dated 04.06.2019 shall remain stayed till 30.06.2021.

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

OCTOBER 09, 2019

'rs'

SANJEEV SACHDEVA, J

नित्यमेव जयते