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

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Judgment delivered on: 18.11.2019

+ RC.REV. 564/2019

PADMA ARORA & ORS

..... Petitioners

versus

RAJESH NARULA

..... Respondent

Advocates who appeared in this case:

For the Petitioners: Mr. Sumit Ahuja, Advocate with petitioners in person.

For the Respondent: Mr. Kapil Gupta with Mr. Abhinab Ram, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

RC.REV. 564/2019 & CM APPL. No.42680/2019 (stay)

1. Petitioners impugn order dated 11.03.2019, whereby the leave to defend application of the petitioners was dismissed and an eviction order passed.

2. Respondent had filed the subject eviction petition seeking eviction of the petitioners on the ground of bonafide necessity under Section 14(1) (e) of Delhi Rent Control Act, 1958 from one shop

bearing No.15, A Block, Poorvi Marg, Vasant Vihar, New Delhi, more particularly as shown in red colour in the site plan attached to the eviction petition.

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

4. Petitioners, who are present in Court in person, undertake that they shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.05.2020. Petitioners further undertake that they shall pay use and occupation charges at the agreed rate of Rs.1364/- per month till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.05.2020.

5. Petitioners further undertake that they shall clear all water, electricity and other dues/charges in respect of the tenanted premises before they vacate the premises on or before 31.05.2020. Petitioners further undertake that they shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. They further undertake that they shall not cause any damage to the tenanted premises and hand over the possession of the same to the Respondent in the same condition as it exists today subject to normal wear and tear.

6. The undertaking is accepted.

7. Learned counsel for the respondents under instructions from the respondents submits that the undertaking is also acceptable to the respondent.

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 In view of the above, the petition is dismissed as withdrawn.

9. Subject to petitioners filing an affidavit of undertaking in the above terms within a period of two weeks from today, execution of the impugned order dated 11.03.2019 shall remain stayed till 31.05.2020.

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

NOVEMBER 18, 2019
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SANJEEV SACHDEVA, J