

\$~56

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

%

Judgment delivered on: 22.11.2019

+ RC.REV. 663/2019

PARVINDER SINGH & ANR

..... Petitioners

versus

VANDANA WALECHA & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Abhimanyu Mahajan, Ms. Anubha Goel, Mr. Mayank Joshi and Ms. Tanisha Bawa, Advocates with petitioner in person.

For the Respondent:

Mr. Hemant Chadhri, Mr. Piyush Arora and Mr. Gaurav, Advocates with respondent in person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL. 50366/2019 (Exemption)

Allowed, subject to all just exceptions.

CAV 1154/2019

In view of the appearing of the learned counsel for the respondent, caveat stands discharged.

RC.REV. 663/2019 & CM APPL. 50365/2019 (stay)

1. Petitioners impugn order dated 06.06.2019, whereby eviction petition filed by the respondent has been allowed after trial.

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 No. 17-D, Ground Floor, Backside, Pushpa Market, Lajpat Nagar-II, New 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 he 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 he shall pay a sum of ₹ 15,000/- per month as use and occupation charges to the respondent w.e.f. 01.12.2019 till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2021.

5. Petitioner further undertakes that the 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 30.06.2021.

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

7. The undertaking is accepted.
8. Learned Counsel for the Respondent submits that the undertaking is acceptable to the respondent.
9. The Petition is accordingly dismissed as withdrawn.
10. Subject to petitioners filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 06.06.2019 shall remain stayed till 30.06.2021.
11. Order *Dasti* under signatures of the Court Master.

NOVEMBER 22, 2019
'rs'

SANJEEV SACHDEVA, J