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

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Judgment delivered on: 30.10.2019

+ RC.REV. 59/2018 & CM APPL. 5974/2018

KHALID KAMAL ALVI

..... Petitioner

versus

VIJAY KUMAR SACHDEV & ORS

..... Respondents

**Advocates who appeared in this case:**

For the Petitioner: Mr.Atul Nigam, Mr.Anubhav Tyagi and Mr.Randhir Kumar, Advocates with petitioner in person.

For the Respondent: Mr. B.B.Gupta, Sr.Advocate with Mr.Pranav Gambhir, Advocate.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**SANJEEV SACHDEVA, J. (ORAL)**

1. Petitioner impugns order dated 30.10.2017, whereby the eviction petition of the respondent has been allowed and an eviction order passed.

2. Respondent had filed the subject eviction petition seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of Delhi Rent Control Act, 1958 from second Floor (Barsati floor), G-12, Jangpura Extension, New Delhi -110014, more

particularly as shown in red colour in the site plan attached to the eviction petition.

3. Leave to defend the eviction petition was granted to the petitioner and impugned order was passed after trial finding the need of the respondent to be bonafide.

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

5. 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 pay Rs. 15,000/- per month as use and occupation charges till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.06.2021.

6. Petitioner further undertakes that he shall clear all water, electricity and other dues/charges in respect of the tenanted premises before he vacates the premises on or before 30.06.2021. He further undertakes that he 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 hand over the possession of the same to the Respondent in the same condition as it exists today subject to normal wear and tear.

7. The undertaking is accepted.

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

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 In view of the above, the petition is dismissed as withdrawn.

10. 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 30.10.2017 shall remain stayed till 30.06.2021.

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

**OCTOBER 30, 2019**  
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**SANJEEV SACHDEVA, J**