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

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Judgment delivered on: 27.11.2019

+ RC.REV. 154/2019 & CM APPL. 11835/2019, CM APPL.
18942/2019, CM APPL.33483/2019

SINGH GUN HOUSE

..... Petitioner

versus

ASHISH SINGHANIA (HUF)

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Alok Kumar, Advocate.

For the Respondent: Mr. Ashutosh Lohia, Mr. Aditya Rathee, Mr. Anish Ohlan and Mr. Shivam Gomber, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 05.10.2018, whereby the leave to defend application of the petitioner was dismissed 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 Flat No.2 consisting of three rooms, one store, one bathroom and one W.C situated on the front half portion on the first floor of Property No.A-

14/3, Jamna Bhawan, Asaf Ali Road, 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, undertake that she shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.03.2021. Petitioner further undertakes that she shall pay a sum of ₹ 30,000/- per month as use and occupation charges to the respondent w.e.f. 01.04.2019 till the time she hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 31.03.2021. She undertakes that the arrears of use and occupation charges shall be cleared within a period of two weeks.

5. Petitioner further undertake 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 31.03.2021.

6. Petitioner further undertake that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioner further undertake that 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 petitioner filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 05.10.2018 shall remain stayed till 31.03.2021.
11. Order *Dasti* under signatures of the Court Master.

NOVEMBER 27, 2019
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SANJEEV SACHDEVA, J