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

+ W.P.(C) 4574/2019

SH. SANJAY KUMAR Petitioner
Through: Mr N.U. Ahmed, Advocate.

versus

UNION OF INDIA AND ANR. Respondents
Through: Ms Shiva Lakshmi, CGSC with Mr
Siddharth Singh, Advocate.
Mr Sandeep Tyagi, Advocate for R-1
& 2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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23.07.2019

1. The petitioner has filed the present petition, *inter alia*, impugning a notice issued in April 2019, calling upon the petitioner to vacate the premises at the licenced shop in question by 30.04.2019. The petitioner had been further warned that failing which, the Base Hospital would initiate actions for getting the shop vacated.

2. The petitioner was granted a license for a premises in the Regimental Institution, Base Hospital, Delhi Cantt. for operating a Cafeteria. Initially, the license was granted for a period of three years commencing 17.10.2002. The said license was extended from time to time. It is not disputed that the term of the license expired on 31.01.2019. It does appear from the above that the petitioner does not have any further right to continue to occupy the premises in question.

3. The learned counsel appearing for the petitioner seeks leave to withdraw the petition. He, however, requests that the petitioner be granted time of three months to dismantle the kiosk and remove his goods from the premises in question. He is also referred to Clause 2(j) of the “Contract Deed” which also expressly provided that *“in case the licensor will not renew the contract of license he will give three months notice to dismantling the kiosks.”*

4. The petitioner’s request is reasonable. In view of the aforesaid, the present petition is dismissed as withdrawn while recording the undertaking made to this Court on behalf of the petitioner that he shall vacate the premises in question on or before 23.10.2019. The respondents are restrained from interfering with his possession for a period of three months from date.

5. The petition is dismissed as withdrawn with the aforesaid terms.

VIBHU BAKHRU, J

**JULY 23, 2019
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