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

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Judgment delivered on: 06.09.2019

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RC.REV. 312/2019

VIJAY KUMAR

..... Petitioner

versus

AMARJEET KAUR

..... Respondent

**Advocates who appeared in this case:**

For the Petitioner:

Dr.Ashutosh and Ms.Fatima, Advocates.

For the Respondent:

Mr.Manjit Singh Ahluwalia, Advocate.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

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

1. Petitioner impugns order dated 07.03.2019 whereby the leave to defend application of the petitioner has been dismissed.
2. Respondent/landlady had filed the subject eviction petition seeking eviction of the petitioner on the ground of bonafide necessity from shop bearing Private No.5 in property No.3121/ 35, Ground Floor, Beadon Pura, Karol Bagh, New Delhi more particularly shown in red colour in the site plan attached to the Eviction Petition.
3. After some arguments, learned counsel for the petitioner under instructions from the petitioner who is present in Court in person seeks leave to withdraw the petition. He, however, prays that some reasonable time may be granted upto 31.05.2021 to vacate and hand over the peaceful

vacant possession of the subject premises. Same is acceptable to the respondent.

4. Petitioner who is present in Court undertakes that he shall vacate and hand over the vacant peaceful possession of the tenanted premises to the respondent landlady on or before 31.05.2021. He undertakes to pay use and occupation charges at the rate of Rs.10,000/- per month with effect from 01.09.2019 till the time he hands over the peaceful vacant possession of the tenanted premises. He also undertakes to pay the water and electricity charges to the concerned authorities and also clear all dues in respect of the said premises, if any. He further undertakes that he shall not hand over, sub let or part with the possession of the tenanted premises or any part thereof to any third party.

5. The undertaking is accepted.

6. Petition is accordingly dismissed as withdrawn.

7. On petitioner filing an affidavit of undertaking within a period of 10 days in the above terms, execution of the eviction order dated 07.03.2019 shall remain stayed till 31.05.2021.

8. Order *dasti* under signatures of the Court Master.

**SANJEEV SACHDEVA, J**

**SEPTEMBER 06, 2019/rk**