

\$~14

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

%

Judgment delivered on: 05.11.2019

+ RC.REV. 86/2018 & CM APPL. Nos.8156-57/2018,  
17040/2018, 23979/2018 and 18699/2019

MANGHU LAL & SON THROUGH  
PARTNER R SARDANA

..... Petitioner

versus

BANARSI LAL & ORS

..... Respondents

**Advocates who appeared in this case:**

For the Petitioner: Mr.P.K. Rawal and Mr.Tarun Agarwal, Advocates

For the Respondent: Mr. Ashok Popli, Advocate

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

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

1. Petitioner impugns order dated 07.11.2017, whereby the Leave to defend application of the petitioner has been dismissed by the Rent Controller 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 Shop No. 1, Plot No.21, Block 80-A, property bearing No.3/1, Krishna Market,

Pahar Ganj, New Delhi, more particularly as shown in red colour in the site plan attached to the eviction petition.

3. Learned counsel for the petitioner under instructions from the petitioner, who is present in Court in person, 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 30.06.2020. Petitioner further undertakes that he shall pay Rs. 10,000/- 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 30.06.2020.

5. 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 30.06.2020. He further undertakes that he shall not sublet, assign or part with the possession of 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 in the condition as it exists today subject to normal wear and tear.

6. The undertaking is accepted.

7. Learned counsel for the respondents under instructions from the

respondents submits that the undertaking is also acceptable to the respondents.

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 In view of the above, the petition is dismissed as withdrawn.

9. 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 07.11.2017 shall remain stayed till 30.06.2020.

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

**NOVEMBER 05, 2019**  
'neelam'

**SANJEEV SACHDEVA, J.**