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

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Judgment delivered on: 11.12.2019

+ RC.REV. 492/2019 & CM APPL. 37310/2019

LAJWANTI GULWANI & ORS.

..... Petitioners

versus

SAVINDER SINGH KOHLI & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. J.P. Sengh, Sr. Advocate with Mr. Gurkamal Hora Arora, Ms. Manisha Mehta, Mr. R.L. Sinha and Ms. Vapika Malik, Advocates

For the Respondent:

Mr. S.K. Sharma and Mr. Yogender Kumar, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 12.03.2019, whereby the Leave to defend application of the petitioner has been dismissed and an eviction order passed.

2. Respondent had filed the subject eviction seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from one shop bearing private Shop No;. 8C forming part of Shop No. 8, Central Market, Lajpat Nagar-II, New Delhi, more particularly as shown in red colour

in the site plan annexed with the eviction petition.

3. Learned senior counsel for the petitioner, under instructions from the petitioner, seeks leave to withdraw the petition.

4. Petitioner who is present in Court in person, undertakes that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 10.06.2021. Petitioner further undertakes that she shall pay a sum of ₹ 10000/- per month with effect from 15.09.2019 as use and occupation charges to the respondent till the time petitioner hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 10.06.2021. The arrears of use and occupation charges be cleared within two months.

5. Petitioner further undertakes 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 10.06.2021.

6. Petitioner further undertakes that petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioner further undertakes that petitioners 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 12.03.2019 shall remain stayed till 10.06.2021.

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

DECEMBER 11, 2019
‘rs’

SANJEEV SACHDEVA, J

भारतमेव जयते