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

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Judgment delivered on: 12.09.2019

+ RC.REV. 504/2019 & Crl. M.A. 38443/2019

VINOD PODDAR

..... Petitioner

versus

HARI SHANKAR

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. S. Singh, Adv.

For the Respondent: Ms. Gita Dhingra and Mr. R.S. Tiwari, Advs.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 24.01.2019 whereby the eviction petition filed by the respondent was allowed and an order of eviction passed.
2. The respondent had filed the subject petition under Section 14(1) (e) of the Delhi Rent Control Act 1958 seeking eviction of the petitioner from one shop bearing No. 2, situated on the ground floor of property bearing No. B-309, Chowkhandi, J.J. Colony, Near Tilak Nagar, New Delhi more as particularly shown in red colour in the site plan annexed to the eviction petition.
3. Learned counsel for the petitioner, under instructions from the petitioner, who is present in Court seeks leave to withdraw the petition.

4. Petitioner who is present in person undertakes that he shall vacate and handover peaceful vacant possession of the tenanted premises on or before 11.09.2020. Petitioners further undertake that he shall pay use and occupation charges @ Rs. 4000/- per month w.e.f 01.08.2019 till they hand over the peaceful vacant possession of the tenanted premises. They further undertake that they shall clear all water and electricity charges and other usage charges in respect of the tenanted premises before they vacate the premises. They further undertake that they shall not sublet, assign or part with the possession of the entire or any part of the tenanted premises.

5. The undertaking is accepted.

6. Learned counsel for the petitioners submits that the petitioners have deposited the rent at the agreed rate with the concerned Rent Controller upto March, 2019 and he shall pay at the agreed rate upto 31.07.2019.

7. Learned counsel under instructions from the respondent submits that the undertaking is acceptable to the respondent.

8. In view of the above, the petition is dismissed as withdrawn. 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 24.01.2019 shall remain stayed till 11.09.2020.

9. Order *Dasti* under signatures of Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 12, 2019

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