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

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Judgment delivered on: 16.09.2019

+ RC.REV. 538/2019 & CM APPL.40636/2019 & 40637/2019

V K KOHLI & ANR

..... Petitioners

versus

HARDAI

..... Respondent

Advocates who appeared in this case:

For the Petitioner:

Mr. Rajesh Yadav, Mr. Gaurav Kakar, Mr. Nishant Anand and Mr. Dhananjay Mehlawat and Mr.Vaibhav Sethi, Advs

For the Respondent:

Mr.Ashish Virmani, Mr.Rakesh Bhalla and Mr.Harsha Gollamudi, Advs.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugns order dated 18.03.2019 whereby the leave to defend application filed by the Petitioner has been rejected and an order of eviction passed.

2. Respondent had filed the subject eviction petition on the ground of bonafide necessity under Section 14(1)(e) of the Delhi Rent Control Act seeking eviction of the petitioner from the premises comprising of one hall measuring 10 feet x 45 feet on the ground floor of property bearing No.4/5181, Krishan Nagar, Karol Bagh, New Delhi more particularly as shown in red colour annexed to the eviction petition.

3. Learned counsel for the petitioners seeks leave to withdraw the petition.
4. Learned counsel for the petitioners submits that he has instructions to undertake on behalf of the petitioners that the petitioners shall vacate and hand over the peaceful and vacant possession of the tenancy premises on or before 30.09.2020.
5. It is undertaken that the petitioners shall pay use and occupation charges at the rate of Rs.12,500/- per month from 15.09.2019 till the time they hand over vacant peaceful possession. They further undertake that they shall pay all water, electricity and other charges in respect of the tenanted premises, before handing over the vacant possession. They further undertake that they shall not sublet, assign or part with the possession of the tenanted premises or any part thereof to any third party. They further undertake to clear the arrears at the rate of Rs.1400/- per month.
6. The undertaking is accepted.
7. The Petition is accordingly dismissed as withdrawn.
8. Subject to petitioners filing an affidavit of undertaking within a period of two weeks in the above terms, execution of the eviction order dated 18.03.2019 shall remain stayed till 30.09.2020.
9. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 16, 2019/rk