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

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Judgment delivered on: 01.10.2019

+ RC.REV. 563/2019 & CAV.958/2019 & CM
APPL.42669/2019 & 42670/2019

LILU RAM GARG & ANR

..... Petitioners

versus

PALLAVI MEHRA & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Ms.Aditi, Adv.

For the Respondent: Mr.Hemant Gupta, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 25.03.2019, whereby, leave to defend application of the petitioners has been dismissed and an eviction order passed.

2. Subject eviction petition was filed by the respondents seeking eviction of the petitioner, on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from a shop bearing property No.IX/6310 (new No.) & 542 (Old No.) Main road,

Gandhi Nagar, Delhi-110031, more particularly shown in red colour in the site plan annexed with the eviction petition.

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

4. Learned counsel for the petitioners undertakes that petitioners shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondents on or before 30.09.2021. Learned counsel for the petitioners further undertakes that petitioners shall pay Rs. 5000/- per month as use and occupation charges till the time they hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.09.2021.

5. Learned counsel for the petitioners further undertakes that the petitioners shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioners vacate the premises. He further undertakes that the petitioners shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes that the petitioners shall not cause any damage to the property and shall hand over the peaceful vacant possession of the tenanted premises to the respondents in a condition as existing today, subject to normal wear and tear.

6. The undertaking is accepted.

7. Learned Counsel for the Respondents submits that the

undertaking is acceptable to the respondents.

8. The Petition is accordingly dismissed as withdrawn.

9. On petitioners filing an affidavit of undertaking, within a period of two weeks in the above terms, execution of the impugned order dated 25.03.2019 shall remain stayed till 30.09.2021.

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

OCTOBER 01, 2019

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SANJEEV SACHDEVA, J

