

\$~17

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

%

Judgment delivered on: 23.12.2019

+ RC.REV. 660/2019 & CM APPL. 50083/2019

M/S GOKAL CHAND JAGAN NATH NAHAR..... Petitioner

versus

OM PRAKASH & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Ashish Verma, Advocate.

For the Respondent: Mr. Siddharth Aggarwal, Advocate

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 20.05.2019, whereby the eviction petition 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 ground floor of property No.5/7, Desh Bandhu Gupta Road, Paharganj, Delhi, more particularly as shown in red colour in the site plan annexed with the eviction petition, has been allowed and an eviction order passed.

2. Learned counsel for the petitioner seeks leave to withdraw the petition. He further submits that he has instructions on behalf of the

petitioner to undertake that petitioner shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 31.03.2020.

3. Learned counsel for the Petitioner further undertakes on behalf of the petitioner 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 31.03.2020. Learned counsel for the Petitioner further undertakes on behalf of the petitioner that the petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes that petitioner shall not cause any damage to the tenanted premises and shall hand over the peaceful and vacant possession of the tenanted premises in the same condition as it exists today subject to normal wear and tear.

4. The undertaking is accepted.

5. Learned Counsel for the Respondents submits that the undertaking is acceptable to the respondents.

6. Learned counsels for the parties confirm that the use and occupation charges till 31.03.2020 have already been settled between the parties.

7. Petition is, accordingly, dismissed as withdrawn.

8. Subject to petitioner filing an affidavit of undertaking in the

above terms, within a period of two weeks, execution of the impugned order dated 20.05.2019 shall remain stayed till 31.03.2020.

9. The next date of 12.03.2020 is cancelled.

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

DECEMBER 23, 2019

rk

SANJEEV SACHDEVA, J

