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

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Judgment delivered on: 17.12.2019

+ RC.REV. 82/2018 & CM APPL.7636/2018 & CM APPL.

7637/2018

CHAMAN LAL

..... Petitioner

versus

SUNIL KUMAR MINOCHA

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. R.P. Sharma and Mr. Vaibhav Mehra,
Advocates with petitioner in person.

For the Respondent: Mr. Sarvagya Sharma, Advocate with respondent in
person.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 23.08.2017, 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 on the ground floor in property No. 2124/59, Nai Wala, Abdul Aziz Road, Karol Bagh, New Delhi-110005, more particularly as shown in red colour in

the site plan annexed with the eviction petition.

3. Learned 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 31.05.2021. Petitioner further undertakes that she shall pay a sum of ₹ 10,000/- per month with effect from 01.04.2018 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 31.05.2021. He undertakes to clear the arrears of use and occupation charges in three equal monthly instalments.

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 31.05.2021.

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 23.08.2017 shall remain stayed till 31.05.2021.

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

DECEMBER 17, 2019
‘rs’

SANJEEV SACHDEVA, J

भारतमेव जयते