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

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Judgment delivered on: 06.12.2019

+ RC.REV. 182/2018 & CM APPL. 17620/2018

UMESH KUMAR & ANR

..... Petitioners

versus

RAM KAUR (DECEASED) THR LRS

..... Respondents_

Advocates who appeared in this case:

For the Petitioner: Mr. M.L.Mahajan with Mr.Gaurav Mahajan and
Ms.Meena Mahajan, Advocates.

For the Respondent: Mr.G.P.Thareja, Advocate.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 29.01.2018, whereby the Leave to defend application of the petitioners has been dismissed by the Rent Controller and an eviction order passed.

2. Respondents had filed the subject eviction petition seeking eviction of the petitioners on the ground of bonafide necessity under Section 14(1) (e) of Delhi Rent Control Act, 1958 from the tenanted premises being shop (Corner), Ground Floor in property No.1/20, Road No.20, East Punjabi Bagh, New Delhi-110026, more

particularly as shown in red colour in the site plan attached to the eviction petition.

3. Learned counsel for the petitioners under instructions from petitioners, who are present in Court in person, seeks leave to withdraw the petition.

4. Petitioners who are present in Court in person, undertake that they shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondents on or before 31.03.2021. Petitioners further undertake that they shall continue to pay use and occupation charges at the monthly rate of Rs. 5,000/- per month till they vacate the tenanted premises on or before 31.03.2021.

5. Petitioners further undertakes that they shall clear all water, electricity and other dues/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 portion of the tenanted premises to any third party.

6. Petitioners further undertake that they 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 it is existing today, subject to normal maintenance.

7. The undertaking is accepted.

8. Learned counsel for the respondents under instructions from the

respondents submits that the undertaking is also acceptable to the respondents.

9. In view of the above, the petition is dismissed as withdrawn.

10. Subject to petitioners filing an affidavit of undertaking in the above terms within a period of two weeks from today, execution of the impugned order dated 29.01.2018 shall remain stayed till 31.03.2021.

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

DECEMBER 06, 2019

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SANJEEV SACHDEVA, J