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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **RC.REV. 332/2018**  
**SARASWATI**

..... Petitioner

Through : Mr.Siddhartha Nanwal, Advocate  
versus

**MOHD RAHEES**

..... Respondent

Through : Ms.Reema Roy, Advocate

**CORAM:**  
**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

% **28.01.2019**

**CAV No.662/2018**

In view of earlier appearance on behalf of respondent/Caveator,  
the petition stands disposed of.

The caveat is discharged.

**CM APPL No.29178/2018**

For the reasons explained in the application, the delay of 45  
days in refiling the petition stands condoned.

The application stands disposed of.

**CM APPL No.29177/2018**

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

**RC.REV. 332/2018 & CM APPL No.29176/2018**

Learned counsel for the petitioner submits that he is not  
inclined to argue on merits provided the petitioner is allowed to  
remain in the premises till 31<sup>st</sup> January, 2020. Learned counsel for

the respondent says in such a case let market rental be paid by the petitioner till the vacation of the premises. In the circumstances the petitioner shall vacate the premises on 31<sup>st</sup> January, 2020 and hand over its vacant and peaceful possession to the respondent. Also as an interim measure the petitioner to pay the respondent an amount of Rs.2,000/- per month w.e.f. July, 2018 till 31<sup>st</sup> January, 2020 as user/occupation charges. The arrears be cleared within two months. Future user/occupation charges be made on or before 7<sup>th</sup> of each calendar month. The water and electricity charges be paid as per actuals. The usual undertaking to this effect shall be filed by the petitioner within four weeks from today. Any default in the payment of arrears or future user/occupation charges shall entail eviction forthwith.

The petition along with pending application, if any, stands disposed of in terms of above.

Order dasti.

**YOGESH KHANNA, J.**

**JANUARY 28, 2019**

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