$~59

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

% Judgment delivered on: 30.09.2019

\+ RC.REV. 256/2018 & CM APPL. 22907/2018, 22910/2018, 39702/2018,51834/2018, 17810/2019, 17877-17878/2019

SUDHIR KUMAR AGGARWAL @ SUDHIR KUMAR GARG ..... Petitioner

versus

ROHIT VEDI ..... Respondent

Advocates who appeared in this case:

For the Petitioner: Ms.Sumati Anand, Adv.

For the Respondent: Mr.Shwetank Vedi, Advocate.

CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 27.11.2017, whereby, leave to defend application of the petitioner has been dismissed and an eviction order passed.

2. Subject eviction petition was filed by the respondent seeking eviction of the petitioner, on the ground of bonafide necessity under Section 14(1) (e) of the Delhi Rent Control Act, 1958, from shop at Property No.1468, Ground Floor, Gali No.23, Naiwala, Karol Bagh,

New Delhi, more particularly shown in red colour in the site plan annexed with the eviction petition.

3. Parties have settled their disputes. Settlement application is filed in court, same be registered and numbered.

4. Petitioner is present in Court in person. They seek leave to withdraw the petition. He undertakes that he shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.09.2022. Petitioner further undertakes that he shall pay Rs. 10,000/- per month as use and occupation charges with effect from 01.10.2019 till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.09.2022.

5. Petitioner further undertakes that the petitioner shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioner vacates the premises. Petitioner further undertakes that the petitioner shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioner further undertakes that the petitioner 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 it is existing today, subject to normal wear and tear.

6. The undertaking is accepted.

7. Learned Counsel for the Respondent submits that the undertaking is acceptable to the respondent.

8. The Petition is accordingly dismissed as withdrawn.

9. On petitioner filing an affidavit of undertaking, within a period of two weeks in the above terms, execution of the impugned order dated 27.11.2017 shall remain stayed till 30.09.2022.

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

SANJEEV SACHDEVA, J

SEPTEMBER 30, 2019
rk