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

+ **RC.REV. 384/2016 & CM APPL. 28354/2016**

NEETA DEVI

..... Petitioner

Through

Mr. Rajan Tyagi and Mr. Desh Deepak Tyagi, Advs. with son of the petitioner in person.

versus

RANJNA MEHTA

..... Respondent

Through

Dr. N. Pradeep Sharma, Mr. Susheel Mahajan and Mr. Shashi Kant Maurya, Advs.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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28.08.2019

1. Petitioner impugns order dated 26.02.2016 whereby leave to defend application filed by the petitioner has been dismissed.
2. Respondent has filed the petition under Section 14(1) (e) of the Delhi Rent Control Act with regard to Shop No. 9 9-UB, Bungalow Road, Jawahar Nagar, Delhi-110007 located under the staircase ground and first floor, more particularly as shown in red colour in site plan annexed to the eviction petition.
3. Learned counsel for the petitioner submits that a settlement has been arrived at pursuant to which petitioner is undertaking to vacate the tenanted premises within a period of six months from today.
4. Accordingly, learned counsel for the petitioner under instructions from the son of the petitioner undertakes that the petitioner shall hand over the peaceful vacant possession of the tenanted premises on or before

27.02.2020. He further undertakes that petitioner shall not sublet, assign or part with the either the tenanted premises or any part thereof to third party in the meantime. He further undertakes that petitioner shall clear water and electricity charges as per the bills from the municipal/electricity authorities and other dues, if any, with regard to tenanted premises. Petitioner shall pay use and occupation charges @ Rs. 12,500/- per month with effect from 23.07.2019 till she hands over the peaceful vacant possession of the tenanted premises.

5. Learned counsel for the respondent submits that the respondent has no objection to the grant of time in the aforesaid manner.

6. The undertaking is accepted.

7. In view of the above, the petition is dismissed as withdrawn. Subject to petitioner's filing an affidavit of undertaking in the above terms, the execution of the impugned order dated 26.02.2016 shall remain stayed till 27.02.2020.

8. Petitioner is directed to file the affidavit of undertaking within a period of two weeks with copy of the same to learned counsel for the respondent.

9. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

AUGUST 28, 2019

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