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

% Judgment delivered on: 26.11.2019

+ RC.REV. 211/2017

NEETU SHARMA & ANR

..... Petitioners

versus

VED PRAKASH KHANEJA

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Anand Maheshwari, Advocate with petitioner in person.

For the Respondent: Mr. K.R. Chawla with Mr. Vijay Chawla and Mr. Dhruv Chawla, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 20.10.2016, whereby the leave to defend application of the petitioner was 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 first floor and barsati floor of Property No.820/III Katra Ghee, Tilak Bazar, Delhi, more particularly as shown in red colour in the site plan annexed with the eviction petition.

3. Learned counsel for the petitioners, under instructions from the petitioners, 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 respondent on or before 31.05.2021. Petitioners also undertake to vacate and handover the peaceful vacant possession of a small premises carved out under the staircase leading to the first floor to the respondent on or before 31.05.2021.

5. Petitioners further undertake that the petitioners shall clear all water, electricity and other dues/charges in respect of the tenanted premises before the petitioners vacate the premises on or before 31.05.2021. Petitioners further undertake that the petitioners shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. Petitioners further undertake that the 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.

6. Learned counsels for the parties submit that the use and occupation charges have been settled.

7. The undertaking is accepted.

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

9. Petition is, accordingly, dismissed as withdrawn.

10. Subject to petitioners filing an affidavit of undertaking in the above terms, within a period of two weeks, execution of the impugned order dated 20.10.2016 shall remain stayed till 31.05.2021.

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

NOVEMBER 26, 2019
st

SANJEEV SACHDEVA, J

