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

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Judgment delivered on: 21.11.2019

+ RC.REV. 214/2015 & CM APPL.8177/2015

PAWAN KUMAR AGGARWAL

..... Petitioner

versus

ANAND KUMAR SINGHAL & ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner:

Mr. Rakesh Saini, Advocate along with petitioner in person.

For the Respondent:

Mr. Deepak Gupta, Adv..

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 22.01.2015, whereby the Leave to defend application of the petitioner has been dismissed and an eviction order passed.

2. Respondent had filed the subject eviction petition seeking eviction of the petitioner on the ground of bonafide necessity under Section 14(1) (e) of Delhi Rent Control Act, 1958 with regard to a portion on the ground floor admeasuring 53.37 sq.metres at property

No.4662, Deputy Ganj, Sadar Bazar, Delhi-110006, more particularly as shown in red colour in the site plan attached to the eviction petition.

3. Learned counsel for the petitioner under instructions from the petitioner who is present in court seeks leave to withdraw the petition.

4. Petitioner who is present in Court in person, undertakes that he shall vacate and handover the peaceful vacant possession of the tenanted premises to the respondent on or before 30.04.2021. Petitioner further undertakes that he shall pay use and occupation charges at the agreed rate of Rs. 15,000/- per month with effect from 01.11.2019 till the time he hands over the peaceful vacant possession of the tenanted premises to the respondent on or before 30.04.2021.

5. Petitioner further undertakes that he shall clear all water, electricity and other dues/charges in respect of the tenanted premises before they vacate the premises. He further undertakes that he shall not sublet, assign or part with the possession of the tenanted premises or any part thereof. He further undertakes that he shall not cause any damage to the tenanted premises and shall hand over the possession of the same in the condition as it exists today subject to normal wear and tear.

6. The undertaking is accepted.

7. Learned counsel for the respondent under instructions from the respondent submits that the undertaking is also acceptable to the

respondent.

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 In view of the above, the petition is dismissed as withdrawn.

9. Subject to petitioner filing affidavit of undertaking in the above terms within a period of two weeks from today, execution of the impugned order dated 22.01.2015 shall remain stayed till 30.04.2021.

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

SANJEEV SACHDEVA, J.

NOVEMBER 21, 2019

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